

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 October 24, 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 October 24, 2017.

APPROVAL OF MINUTES

- *Approval of the October 10, 2017 Regular Session Meeting Minutes*

Upon a motion by Deputy Mayor McCauley, seconded by Committeeman Burchette, the minutes of the October 10, 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 reminded residents of the upcoming HBA Business Social on October 26th.

Committeeman Burchette stated the Department of Public Works will begin the 2017 Leaf Pickup Program on November 6th. For additional dates and rules of these programs, please visit the Public Works Department page at hillsborough-nj.org.

Committeeman Burchette advised a snow fence is now being installed throughout the town to guard against the high snow drifting areas.

Committeeman Burchette stated that the DPW managerial staff is involved in a great deal of course work ranging from Forestry, FEMA Incident Command, PEOSHA Safety and Clean Communities. This course work allows the town to be in compliance with the many requirements that the Department of Public Works is associated with.

Committeeman Burchette wished a belated and well deserved congratulations to Assistant Supervisor Ron Christy who received his Certified Public Works Manager credentials through the NJ Department of Community Affairs and course work through Rutgers Center of Government Services.

Committeeman Burchette urged residents to inspect and fix or replace their mailboxes prior to the upcoming winter.

Committeeman Burchette noted Phase 1 of the New Amwell paving project between Route 206 and Taurus Drive is near completion. Phase 2 and 3, which will complete the entire roadway will be in the Spring of 2018. Again, residents are asked that if you are anticipating any utility hook ups, please contact your utility company prior to paving, as utility hook ups often require roadway excavation.

Committeeman DelCore

Committeeman DelCore attended the Peter Palmer Tribute Dinner. Peter Palmer was a great friend to Hillsborough and was instrumental in getting the by-pass approved. He is retiring at the end of the year. Committeeman DelCore thanked him for his service.

Committeeman DelCore announced the Annual CFO report has been posted to the Township website. The report highlights the 2017 budget, per capita spending, for which Hillsborough remains the lowest in comparison to neighboring municipalities. Finally, the last component of this report is the 2017 Best Practices compliance.

Committeeman DelCore stated the Halloween Curfew will be in effect October 30th - November 1st from 10PM - 6AM. No persons under the age of 18 shall be permitted on any public place, public street, or public property in the Township of Hillsborough between the hours of 10pm & 6am, from October 30th thru November 1st.

Committeeman DelCore reported Chief Powell would like to offer suggestions to parents of young children who "trick or treat" from door to door at this time. The following precautions will hopefully lead to a safe and happy time for all our Township residents

- Wear light –colored clothing that's short enough to prevent tripping and add reflective tape to the sides, front and back of costume.
- Make sure children can see well through face masks.
- Adults should accompany young children.
- Go out in daylight and carry a flashlight if out during darkness.
- Stay within the neighborhood and only visit homes you know.
- Watch for traffic.
- Only give and accept wrapped or packaged candy.
- Examine all candy before allowing children to eat it.
- Keep costumed children away from pets' the pets may react unexpectedly.
- Carry a cell phone to report emergencies.

- Please do not text while walking.
- Motorists are urged to drive with caution during times of trick or treating.

Committeeman DelCore reminded residents Daylight Savings time ends on Sunday, November 5th at 2:00 am. Don't forget to turn your clocks back one hour and check your batteries on your smoke and carbon monoxide detectors.

Committeeman DelCore encouraged residents to join PBA Local 205 on Saturday, November 11th from 9 am until 2pm at Shoprite at their annual Stuff the Bus campaign to benefit Hillsborough's Community Assistance Network.

Committeeman DelCore advised October 31st is the last day to request by mail a vote by mail application. Tuesday, November 7th is the General Election, polls open at 6 am and will remain open until 8 pm. Please refer to your sample ballot for your polling location.

Committeeman Tomson

Committeeman Tomson offered congratulations to Bob Easton who was recently sworn in as a trustee in the Senior Group Chapter B by Township Clerk Pamela Borek.

Committeeman Tomson announced the Hillsborough High School Senior Cheerleading kickoff performance at Hunterdon Central High School and congratulated them on receiving first place.

Committeeman Tomson reported the Health Department has been working with the Greater Somerset Public Health Partnership to renew the Farm to Go grant that enabled the Township to supply the Community Assistance Network clients with two deliveries of fresh vegetables from Norz Farm and also to conduct two sets of nutrition education sessions for clients each year for the past two years.

Committeeman Tomson stated the Annual Halloween event will be held at the Township on Thursday, October 26th starting at 4:30, there will be a hay ride, a haunted house, and light refreshments, please register through the parks and recreation web site, cost is \$5.

Committeeman Tomson stated that will be followed by the Annual Howl-o-Ween Saturday, October 28th at AVM park, sign in starts at 8:30 parade starts at 9am.

Deputy Mayor McCauley

Deputy Mayor McCauley attended the Faith Lutheran Church 50th Anniversary service and celebration. She congratulated the Church on its anniversary and service to the community.

Deputy Mayor McCauley thanked Congressman Lance and Senator Bateman for accompanying her at the Davita Dialysis Ribbon Cutting. Davita is located by CVS shopping center.

Deputy Mayor McCauley reported the added assessment tax bills were mailed last week. This bill is due in addition to the 4th quarter bill mailed at the end of September. Should you have a question on this tax bill, please contact the Tax Assessor at 908-369-8077.

Deputy Mayor McCauley thanked Ambassador Girl Scout Brynne Briegs for her presentation at the Sustainable Hillsborough Meeting on the importance of Pollinator Gardens and showcasing the garden she planted here at the Municipal Complex.

Deputy Mayor McCauley advised as Committeeman Burchette mentioned earlier, there are multiple options for residents when it comes to deciding what to do with Fall Leaves. The Township developed a brochure that talks about sustainable alternatives such as composting your leaves and using it as mulch. There was a feature in the last Township e-News. Residents can also access the brochure on sustainablehillsborough.com.

Deputy Mayor McCauley announced there is a proclamation coming up on the agenda supporting November 16, 2017 as the “Night of Conversation” to encourage conversation and public disclosure about drugs and alcohol addiction. The empty plate signifies the conversation is more important than the meal. This is just another collaborative effort of our Hillsborough-Millstone Municipal Alliance.

Mayor Suraci

Mayor Suraci stated he and Deputy Mayor McCauley attended the grand opening of Hunterdon Pediatrics in the building next to Old Man Rafferty’s. There was a special guest, Batman at the grand opening. Mayor Suraci stated he and Deputy Mayor McCauley attended the HHS Band Showcase and presented the Mayor’s trophy to the top band. There was a special performance by the Rutgers Marching Band.

Mayor Suraci reminded residents on Saturday, November 11th at 8:30 am the Township will host a Veterans Ceremony at the Garden of Honor, followed by light refreshments in the Municipal Senior Room.

PROCLAMATIONS/PRESENTATIONS/APPOINTMENTS

PROCLAMATIONS / APPOINTMENTS

- *Proclamation declaring October as National Breast Cancer Awareness Month*

WHEREAS, October is National Breast Cancer Awareness Month, which is an annual campaign to increase awareness of this disease, encourage early detection, and support research to find a cure. While we have seen an increase in mammography rates and a decline in deaths there is more we can do; and

WHEREAS, breast cancer remains the second leading cause of cancer deaths among women; and both men and women should be aware that age, genetics, and family history are factors that can contribute to the risk of developing this disease; and

WHEREAS, the awareness campaign is encouraging individuals to help reduce their risk of breast cancer through regular self-exams, clinical breast exams, and mammograms which are vital since treatments are most effective when breast cancer is detected early; and

WHEREAS, the National Cancer Institute estimates in the United States, more than 252,710 (female) and 2,470 (male) new cases of breast cancer will be diagnosed this year; and

WHEREAS, Kathleen Cirioli, a two time cancer survivor, along with Joanne Liscovitz, co-founders of Dance for the Cure, a non-profit organization, have helped local families impacted by breast cancer; with donations totaling over \$450,000 since its founding in 1999; and

WHEREAS, Dance for the Cure is a not for profit organization committed to the prevention and cure of breast cancer through the celebration of dance, providing financial assistance to local women impacted by breast cancer.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Township Committee, do hereby recognize all of the above and declare October, 2017 as National Breast Cancer Awareness Month. We urge all women and their families to increase their knowledge about breast cancer, join us to celebrate successes and memorialize lost battles.

- Proclamation supporting November 16, 2017 as the “Night of Conversation” to encourage conversation and public discourse about drugs and alcohol addiction

WHEREAS, The deadly disease of addiction is prevalent in our society, with untold suffering in grief, lost productivity, health care costs, various family burdens and crime; and

WHEREAS, On January 9, 2017, in New Jersey, legislation was signed into law, designating one night as a “Night of Conversation” to encourage conversation and public discourse about drugs and alcohol addiction; and

WHEREAS, The “Night of Conversation” law is designed to encourage government, the private sector, the education system, religious communities and the media to designate communication resources regarding drug and alcohol addiction to ignite prevention efforts and reduce the harm of addiction in state residents; and

WHEREAS, By declaring this “Night of Conversation”, schools, community organizations, youth organizations, and faith-based and secular groups will mention where to find reliable information, where to access help or care, as well as take this opportunity for their own drug abuse prevention activities; and

WHEREAS, An empty dinner plate will serve as a universal symbol for eternal recognition of the “Night of Conversation”. The empty dinner plate will symbolize that on this night the conversation is more important than the food;and

WHEREAS, Hillsborough Township school district is committed to the prevention of youth alcohol and drug addiction;and

WHEREAS, Somerset County YMCA, Hillsborough Township School District, Empower Somerset, the Safe Communities Coalition of Somerset County, Hillsborough Municipal Alliance, and Hillsborough Youth Services Commission are partnering to host a Night of Conversation on November 16, 2017 to encourage parents to talk to their children about alcohol and drug addiction; and

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Mayor and Township Committee, do hereby support November 16, 2017 as the “Night of Conversation”, and encourage the citizens of the Township of Hillsborough to participate in drug prevention activities and programs.

PRESENTATIONS

- ***Credit Card Grant Presentations***

Sean Lubus of Affinity Fellow Credit Union is a non profit organization. Affinity tries to give back to the community. The Hillsborough rewards credit card earns a usage income which in turn Affinity gives to the Township for the Grants program. Mr. Lubus urged residents to sign up stating it is a great way to give to the community without pulling money out of your own pocket.

Committeeman Tomson thanked the committee members for all their hard work in choosing the recipients and thanked Affinity for its continued participation.

- *Spring Reins of Life*
- *Safe & Sound Somerset*
- *Hillsborough Senior Center*
- *Boy Scout Troop 489*
- *Hillsborough Rockettes and Rocket*
- *Robo Raiders*
- *HHS Choir*
- *Hillsborough Baseball League*

NEW BUSINESS

- *None*

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

- Harry Burke, 2 Seabring Road inquired as to what capacity did John Sheridan appear at the Fire Commissioners meeting in September. John Sheridan replied he attended as a liaison to the Township. Mr. Burke asked what the process would be to get a volunteer rescue squad. Township Administrator Anthony Ferrera stated a small group discussed the possibility of a volunteer rescue squad with him and Mr. Sheridan noting the group wanted to start out small. This is to be a volunteer group. Committeeman DelCore emphasized there is zero intention to have a volunteer squad that migrates to a paid squad. It is unequivocally not the case.
- Jane Staats, 101 Devonshire Court asked why the HEMS leadership never received a response to their offer to lead and organize a volunteer squad. Committeeman DelCore stated he doesn't know why the Township would want the same individuals that started as a volunteer squad then moved to a paid squad that eventually was run into the ground and not run effectively. Mayor Suraci stated why would the Township want to hire the same management team that failed previously and that there has been no offer by HEMS management. Lastly Mayor Suraci stated the Township is currently in litigation with HEMS.

PUBLIC HEARINGS

INTRODUCTION OF NEW ORDINANCES

2017-16 ORDINANCE AUTHORIZING LAND EXCHANGE BETWEEN THE TOWNSHIP OF HILLSBOROUGH AND COUNTY OF SOMERSET FOR THE PROPERTIES IDENTIFIED ON THE TAX MAP OF THE TOWNSHIP OF HILLSBOROUGH AS BLOCK 142, LOT 23.01 AND BLOCK 177, LOT 55

WHEREAS, the Township is the owner of the property identified on the Tax Map of the Township of Hillsborough as Block 142, Lot 23.01 consisting of 2.368 acres of land, (“Hillsborough Property”); and

WHEREAS, the County operates a firing range on the Hillsborough Property and the Township has no identifiable public use for the Hillsborough Property; and

WHEREAS, the County is the owner of the property identified on the Tax Map of the Township of Hillsborough as Block 177, Lot 55, consisting of 24.646 acres of land (“County Property”); and

WHEREAS, the County Property borders the Township owned Ann Van Middlesworth Park; and

WHEREAS, the Township currently uses a portion of the County Property as a skate park and extension of Ann Van Middlesworth Park and the County has no other identifiable public use for the County Property; and

WHEREAS, the governing bodies of the Township and County have determined that it is in the best interests of the Township, County and public to exchange ownership interests in the Hillsborough Property and County Property; and

WHEREAS, N.J.S.A. 40A:12-16 authorizes the governing body of any County, by resolution, or any Municipality, by ordinance, to exchange any lands or any rights or interest therein owned by the County or Municipality for other lands or rights or interests therein desired for public use.

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 exchange of the Hillsborough Property for the County Property is hereby authorized; (2) the Mayor and Clerk are authorized to execute a Land Exchange Agreement consistent with this Ordinance in a form approved by the Township Attorney; (3) the Mayor and Clerk are authorized to execute all documents required to transfer ownership of the Hillsborough Property to the County in exchange for the County Property; (4) the Township Attorney is authorized to prepare, execute and record all documents required to transfer ownership of the Hillsborough Property to the County in exchange for the County Property; and (5) this Ordinance shall take effect upon adoption and publication according to law.

Mayor Suraci stated this ordinance authorizes the Township to exchange property with the County. The County utilizes the Township property as a firing range and the Township utilizes a piece of property near AVM Park.

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 2017-16 was adopted and unanimously approved upon call of the role.

2017-17 ORDINANCE AUTHORIZING ACCEPTANCE OF DEED OF DEDICATION FROM YANNUZZI GROUP FOR RIGHT OF WAY FOR THE PROPERTY IDENTIFIED ON THE TAX MAP OF THE TOWNSHIP OF HILLSBOROUGH AS BLOCK 183, LOTS 36.02 AND 37 TO BE KNOWN AS BLOCK 183, LOT 37.01

WHEREAS, Yannuzzi Group filed Application No.: 16-PB-11-SRV with the Township of Hillsborough Planning Board for preliminary and final major site plan approval for the property known as 300 Sunnymead Road, Block 183, Lots 36.02 and 37 on the Township of Hillsborough Tax Map to renovate an existing building on the property; and

WHEREAS, the Township of Hillsborough Planning Board adopted a memorializing Resolution on March 9, 2017 approving the Application; and

WHEREAS, the Planning Board Resolution requires Yannuzzi Group to provide the Township of Hillsborough with the following Dedication:

- Deed of Dedication for Right of Way for Sunnymead Road, Block 183, Lot 36.02 & 37 to be known as Block 183, Lot 37.01, Hillsborough, New Jersey

WHEREAS, the Township Attorney reviewed the attached Deed of Dedication and found it 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 Deed of Dedication; (2) the Mayor and Township Clerk are hereby authorized to execute the Deed of Dedication on behalf of the Township; (3) the Township Attorney is authorized to record the Deed of Dedication with the Somerset County Clerk; and (4) this Ordinance shall take effect upon adoption and publication according to law.

Mayor Suraci stated Municipal Land Use Law requires the acceptance of property via an ordinance. This has been reviewed by the Township Attorney and found acceptable.

Upon motion by Committeeman Burchette, seconded by Deputy Mayor McCauley, 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 2017-17 was adopted and unanimously approved upon call of the role.

2017-18 ORDINANCE AUTHORIZING LEASE OF PROPERTY TO CCATT, LLC, FOR 50 SQUARE FEET OF GROUND SPACE AT THE MUNICIPAL COMMUNICATIONS

TOWER SITE IDENTIFIED ON THE TAX MAP OF THE TOWNSHIP OF HILLSBOROUGH AS A PORTION OF BLOCK 149.01, LOT 1.02

WHEREAS, the Township of Hillsborough and New Cingular Wireless PCS, LLC, entered into a Communications Site Lease Agreement dated November 1, 2006 whereby the Township leased to New Cingular a portion of the property located at 379 South Branch Road and identified on the Tax Map of the Township of Hillsborough as Block 149.01, Lot 1.02, for a Communications Tower; and

WHEREAS, CCATT, LLC, is a successor in interest to the Lease Agreement between the Township and New Cingular; and

WHEREAS, the Township retained all rights to the ground space not subject to the Lease Agreement; and

WHEREAS, CCATT desires to lease from the Township 50 square feet of ground space at the Municipal Communications Tower site identified on the Tax Map of the Township of Hillsborough as a portion of Block 149.01, Lot 1.02, for installation of a generator pursuant to the terms and conditions set forth in a First Amendment to Communications Site Lease Agreement; and

WHEREAS, N.J.S.A. 40A:12-14 authorizes a municipality to lease real property not needed for public use; and

WHEREAS, the Township Committee has determined that the portion of property to be leased is not needed for public use.

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 lease to CCATT of 50 square feet of ground space at the Municipal Communications Tower site identified on the Tax Map of the Township of Hillsborough as a portion of Block 149.01, Lot 1.02, for installation of a generator is hereby authorized; (2) the Mayor and Clerk are authorized to execute a First Amendment to Communications Site Lease Agreement consistent with this Ordinance in a form approved by the Township Attorney; (3) the Mayor and Clerk are authorized

Mayor Suraci stated this ordinance allows for a lease agreement for ground space on the property here at the municipal complex.

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

Susan Gulliford, Huntclub Road asked what is the amount and is it one time or annual payment. Attorney Bill Willard explained it is a monthly payment. The Township still controls the ground space they just want to put in generator. Getting a monthly payment for lease of 50 square feet of ground space.

Upon motion by Committeeman Burchette, seconded by Deputy Mayor McCauley, the public hearing was closed and Ordinance 2017-18 was adopted and unanimously approved upon call of the role.

2017-19 ORDINANCE AUTHORIZING ACCEPTANCE OF EASEMENT FROM VAN CLEEF AND HRC ASSOCIATES FOR A PORTION OF THE PROPERTY

**IDENTIFIED ON THE TAX MAP OF THE TOWNSHIP OF HILLSBOROUGH
AS BLOCK 199, LOTS 34.01 AND 145**

WHEREAS, Neil I. and Barbara Van Cleef are the fee-simple owners of the property identified on the Tax Map of the Township of Hillsborough, County of Somerset, State of New Jersey, as Block 199, Lot 34.01, and more commonly known as 32 Brower Lane, Hillsborough, NJ 08844, New Jersey and H.R.C. Associates, LLC, is the fee-simple owner of the property identified on the Tax Map of the Township of Hillsborough, County of Somerset, State of New Jersey, as Block 199, Lot 145, and more commonly known as 30 Brower Lane, Hillsborough, NJ 08844, New Jersey (collectively referred to as the “Property”); and

WHEREAS, Van Cleef and HRC Associates filed Application No.: 16-PB-17-SRV with the Township of Hillsborough Planning Board (“Board”) for preliminary and final major site plan approval to put an addition on two (2) existing buildings, construct a new freestanding building and increase parking and improve circulation at the Property; and

WHEREAS, the Board adopted a memorializing Resolution on May 11, 2017 approving Grantor’s Application; and

WHEREAS, the Planning Board Resolution requires Van Cleef and HRC Associates to provide the Township of Hillsborough with the following Easement:

- Porous Pavement, Stormwater Measures and Underground Basins Maintenance Easement for a portion of the Property identified on the Tax Map of the Township of Hillsborough as Block 199, Lots 34.01 and 145

WHEREAS, the Township Attorney reviewed the attached Easement and found it 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 Porous Pavement, Stormwater Measures and Underground Basins Maintenance Easement; (2) the Mayor and Township Clerk are hereby authorized to execute the Easement on behalf of the Township; (3) the Township Attorney is authorized to record the Easement with the Somerset County Clerk; and (4) this Ordinance shall take effect upon adoption and publication according to law.

Mayor Suraci stated Municipal Land Use Law requires the acceptance of property via an ordinance. This has been reviewed by the Township Attorney and found acceptable.

Upon motion by Committeeman Burchette, seconded by Deputy Mayor McCauley, 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 2017-19 was adopted and unanimously approved upon call of the role.

CONSIDERATIONS

1. RESOLUTION AUTHORIZING THE HIRING OF JESSICA GONZALEZ TO FILL A VACANCY IN THE HILLSBOROUGH TOWNSHIP RECREATION DEPARTMENT FOR THE FULL-TIME POSITION OF RECREATION COORDINATOR, EFFECTIVE OCTOBER 25, 2017, AT A SALARY OF \$38,000.00 PER YEAR

WHEREAS, there exists a vacancy in the Hillsborough Township Recreation office for the full-time position of Recreation Coordinator; and

WHEREAS, the Director of Recreation recommends the hiring of Jessica Gonzalez to the position of Recreation Coordinator, effective October 25, 2017, at a salary of \$38,000.00 per year.

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 Director of Recreation are hereby accepted and approved.

Mayor Suraci stated there exists a vacancy in the Recreation department. Ms. Gonzalez has been working on a part time basis in the Social Services department for over a year. She has been interviewed and recommended to fill this vacancy. Welcome Ms. Gonzalez to your full time position.

Township Administrator Anthony Ferrera stated the Township was inundated with resumes. Welcome aboard.

Deputy Mayor McCauley, Committeeman Burchette, Committeeman DelCore and Committeeman Tomson all welcomed Jessica Gonzalez to the new position.

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

2. RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO AMERICAN ROAD MACHINERY COMPANY FOR ONE (1) 2017 MACK GU432 TRUCK WITH DUMP BODY, PLOW AND SALT SPREADER IN AN AMOUNT NOT TO EXCEED \$157,550.00

WHEREAS, a notice of advertisement for bids and an Invitation to Bid was prepared and advertised on September 29, 2017; and

WHEREAS, sealed bids were opened and read on October 18, 2017 at 10:00 AM, which was the time and place as provided for in the Invitation to Bid entitled “The Acquisition of One (1) 2017 or Newer Granite MHD Model GU 432 or Equivalent Axle Forward with Dump Body, Plow and Salt Spreader” in accordance with the Local Public Contracts Law; and

WHEREAS, one (1) bid was received from the following vendor:

<u>Vendor</u>	<u>Amount</u>
American Road Machinery Company	\$157,550.00

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

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

WHEREAS, the Qualified Purchasing Agent has determined that the lowest responsible bidder is American Road Machinery Company; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, the Mayor and Township Clerk are hereby authorized to execute a contract with American Road Machinery Company for One (1) 2017 Mack GU432 Truck with Dump Body, Plow and Salt Spreader in an amount not to exceed \$157,550.00.

Mayor Suraci stated sealed bids were received and this purchase is to replace an item of the aging fleet. Funds are coming from 2017 Capital.

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

**3. RESOLUTION AUTHORIZING THE PURCHASE OF A JOHN DEERE ZERO TURN MOWER MODEL Z950M WITH ACCESSORIES IN AN AMOUNT NOT TO EXCEED \$10,193.21 FROM CAMMPS HARDWARE & LAWN PRODUCTS, INC., THROUGH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM MCESCCPS
COOP #65 BID #15/16-08**

WHEREAS, the Director of the Department of Parks & Recreation has requested authorization for the purchase of a John Deere Zero Turn Mower with Accessories; and

WHEREAS, Cammps Hardware & Lawn Products, Inc., will provide this mower through the MCESCCPS Coop #65 Bid #15/16-08, of which the Township of Hillsborough is member, in an amount not to exceed \$10,193.21; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, hereby authorizes and approves the purchase of a John Deere Zero Turn Mower Model Z950M with Accessories in an amount not to exceed \$10,193.21 from Cammps Hardware & Lawn Products, Inc., through the MCESCCPS Coop #65 Bid #15/16-08.

Mayor Suraci stated this item is to replace a mower that can no longer be repaired. Funds for this purchase are coming from the 2017 Parks Budget.

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

4. RESOLUTION IN SUPPORT OF SENATE BILLS S-161, S-2216 AND S-2254 AND ASSEMBLY BILLS A-266, A-3782 AND A-3821, WHICH AFFIRMS THE LANGUAGE AND LEGISLATIVE INTENT OF THE FAIR HOUSING ACT

WHEREAS, the Township of Hillsborough supports the provision of affordable housing in a reasonable, rational and achievable way, consistent with economic realities and sound planning; and

WHEREAS, pursuant to the March 2015 New Jersey Supreme Court order that transferred oversight of the Fair Housing Act (hereinafter referred to as the “FHA”) to the courts, hundreds of municipalities filed declaratory judgement actions to voluntarily comply with their State imposed affordable housing requirements; and

WHEREAS, this issue needs a resolution that provides both certainty and an achievable path forward so that municipalities can proceed with planning for and implementing of their reasonable and rational affordable housing obligations; and

WHEREAS, Assembly Bill No. 266 and Senate Bill No. 161 propose legislation that directs the Council on Affordable Housing (“COAH”) to use the growth share methodology to calculate fair share affordable housing needs for each municipality; and

WHEREAS, Assembly Bill No. 3782 and Senate Bill No. 2216 propose legislation that reforms the procedures concerning the providing of affordable housing and repeals the “Statewide Non-Residential Development Fee Act”; and

WHEREAS, Assembly Bill No. 3821 and Senate Bill No. 2254 propose legislation that clarifies the scope of a municipality’s affordable housing obligations and eliminates any obligation for the period of time that will now be legislatively defined as a “gap period”; and

WHEREAS, Senate Bill Nos. S-161, S-2216 and S-2254 and Assembly Bill Nos. A-266, A-3782 and A-3821 re-affirm the language and legislative intent of the FHA so as to preclude significant and unfair impacts on municipalities such as Hillsborough Township and instead furthers progression towards a more rational statewide housing policy, including reasonable and achievable obligations for municipalities such as Hillsborough Township, attempts to facilitate municipal compliance and creates actual affordable housing where necessary.

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

1. The Hillsborough Township Committee urges all members of the New Jersey Legislature to reaffirm the language and legislative intent of the FHA and clarify that the municipal affordable housing obligation comports with same; and

2. The Hillsborough Township Committee supports the passage of Senate Bill Nos. S-161, S-2216 and S-2254 and Assembly Bill Nos. A-266, A-3782 and A-3821 and urges their bi-partisan passage.

Mayor Suraci stated the Township of Hillsborough supports the provision of affordable housing in a reasonable, rational and achievable way. The aforementioned bills support the reaffirmation of the understanding of the original intent.

Committeeman Tomson stated this is no longer a one party issue. The entire current process is fundamentally flawed.

Committeeman DeCore stated this is what happens when the Supreme Court wants to be legislators. The Fair Housing Act has turned into build where there is space and some municipalities get an unfair burden placed upon them.

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

5. RESOLUTION AUTHORIZING THE HIRING OF JAMES CELIDONIO AS A FULL TIME ELECTRICAL AND PLUMBING INSPECTOR IN THE TOWNSHIP OF HILLSBOROUGH BUILDING DEPARTMENT EFFECTIVE OCTOBER 25, 2017 AT A SALARY OF \$62,000.00

WHEREAS, there exists a need for a full time Electrical and Plumbing Inspector in the Township of Hillsborough Building Department; and

WHEREAS, the Construction Official recommends the hiring of James Celidonio as a full time Electrical and Plumbing Inspector effective October 25, 2017 at an annual salary of \$62,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Construction Official is authorized to hire James Celidonio as a full time Electrical and Plumbing Inspector effective October 25, 2017 at an annual salary of \$62,000.00.

Mayor Suraci stated there exists a vacancy in the position of Electrical and Plumbing Inspector within the Building Department. Mr. Celidonio has been interviewed and recommended to fill said vacancy. Welcome Mr. Celidonio.

Township Administrator Anthony Ferrera stated Mr. Fiedler and he are very excited to bring Mr. Celidonio on board. Mr. Celidonio comes from the business community and will be an excellent addition to the building department.

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

6. RESOLUTION AUTHORIZING THE HIRING OF RONALD D. NILL AS A PUBLIC WORKS WORKER I IN THE TOWNSHIP OF HILLSBOROUGH DEPARTMENT

OF PUBLIC WORKS EFFECTIVE OCTOBER 25, 2017, AT A SALARY OF \$33,063.00 PER YEAR

WHEREAS, there exists a need for a Public Works Worker I in the Township of Hillsborough Department of Public Works; and

WHEREAS, the Director of Public Works recommends the hiring of Ronald D. Nill, as a Public Works Worker I effective October 25, 2017 at an annual salary of \$33,063.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Director of Public Works is authorized to hire Ronald D. Nill as a Public Works Worker I effective October 25, 2017 at an annual salary of \$33,063.00.

Mayor Suraci stated there exists a vacancy in the position of the Public Works Worker I in the Department of Public Works. Mr. Nill has been previously working in the Department through the Clean Communities Program. He has been interviewed and recommended to fill said vacancy. Welcome Mr. Nill.

Township Administrator Anthony Ferrera stated the Clean Communities programs allow employees to prove themselves over time which enables the Township to evaluate the employees over time.

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

7. RESOLUTION AUTHORIZING THE HIRING OF RONALD J. LEMIEUX, JR. AS A MECHANIC IN THE TOWNSHIP OF HILLSBOROUGH DEPARTMENT OF PUBLIC WORKS EFFECTIVE OCTOBER 25, 2017, AT A SALARY OF \$57,573.00 PER YEAR

WHEREAS, there exists a need for a Mechanic in the Township of Hillsborough Department of Public Works; and

WHEREAS, the Director of Public Works recommends the hiring of Ronald J. Lemieux, Jr. as a Mechanic effective October 25, 2017 at an annual salary of \$57,573.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Director of Public Works is authorized to hire Ronald J. Lemieux, Jr. as a Mechanic effective October 25, 2017 at an annual salary of \$57,573.00.

Mayor Suraci stated there exists a vacancy in the position of the mechanic in the Department of Public Works. Mr. Lemieux has been interviewed and recommended to fill said vacancy. Welcome Mr. Lemieux.

Township Administrator Anthony Ferrera stated this position is extremely important and has been open for almost a year. We are really happy to have Mr. Lemieux join the Township.

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

CONSENT AGENDA

1. RESOLUTION ADDING EVA HEWITT TO THE “TOWNSHIP SUBSTITUTE CALL LIST”

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

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

WHEREAS, the Township Clerk recommends that Eva Hewitt be added to the “Township Substitute Call List”.

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

2. RESOLUTION APPROVING PROPOSED FIRE HYDRANT INSTALLATION ON FALCON ROAD BETWEEN GATEWAY DRIVE AND HILLSBOROUGH PROMENADE

WHEREAS, New Jersey American Water Company proposes to install 2,100 feet of 12” diameter water main pipe on Falcon Road between Gateway Drive and Hillsborough Promenade; and

WHEREAS, the Fire Official has determined that the installation of two (2) public fire hydrants is required to properly serve this area of the Township.

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 installation of two (2) fire hydrants by New Jersey American Water Company as determined by the Chief Fire Marshall.

3. RESOLUTION ACCEPTING PERFORMANCE BOND NO. 76141105 AND THE REDUCTION OF CASH BOND FOR SOUTH BRANCH ESTATES

WHEREAS, North Bridge Properties, provided the Township with Performance Bond No. 76141105 in the current amount of \$51,981.00 and a Cash Bond in the current amount \$20,419.00 for South Branch Estates; and

WHEREAS, a request has been received from North Bridge Properties for the acceptance of Performance Bond and the reduction of the Cash Bond based on the status of the work performed; and

WHEREAS, the Assistant Township Engineer recommends the Township Committee authorize acceptance of Performance Bond No. 76141105 from the Guarantee Company of North America USA in the amount of \$51,981.00 and the reduction of the current amount of the Cash Bond from \$20,419.00 to \$5,775.00 (\$14,644.00 reduction) for North Bridge Properties for South Branch 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.

4. RESOLUTION AUTHORIZING RELEASE OF CASH ESCROW IN THE AMOUNT OF \$173,193.71 TO HILLSBOROUGH PARTNERS, LLC (KIMCO DEVELOPERS)

WHEREAS, a Cash Escrow in the amount of \$173,193.71 was posted for sidewalk construction at Hillsborough Promenade by Hillsborough Partners, LLC (Kimco Developers); 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 \$173,193.71 that was posted for sidewalk construction at Hillsborough Promenade by Hillsborough Partners, LLC (Kimco Developers)

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.

5. RESOLUTION AUTHORIZING THE REFUND OF RECREATION PROGRAM FEES IN THE AMOUNT OF \$197.50

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 \$197.50.

6. RESOLUTION AUTHORIZING THE TRANSFER OF EARNED AMOUNTS OF \$8,441.90 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 \$8,441.90 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 October 4, 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 \$8,441.90 is to be transferred from the Engineering Escrow Accounts into the Treasurer's Account.

<u>Client</u>	<u>Number</u>	<u>Transfer Amount</u>
Bank of America	656	-306.80
Country Classics - 4A	640	-2,284.09
Country Classics - 4C	612	-115.40
Country Classics – 4D	626	-397.01
Gateway@Sunnymeade	472	-364.50
Gateway Phase 5	614	-886.66
Gateway Phase 6	620	-1,016.27
Green Village	607	-1,877.72
Meadow Brook	652	-430.33
Pat Richards LLC	412	-277.95
Pierson Properties	650	-52.42
RPM Dev/Westerling Place	637	-173.10
Senior Housing	636	-259.65
Grand Total		\$-8,441.90

Upon the motion of Committeeman Tomson, 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 2017-20.

Upon the motion of Committeeman Burchette seconded by Deputy Mayor McCauley, Claims List 2017-20 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. *Contract Negotiations:*
 - i. *Somerville Business Park*

b. Litigation
i. Hillsborough Properties

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

Upon motion by Committeeman DelCore, seconded by Committeeman Burchette, the aforesaid resolution was unanimously approved upon call of the role. The Township Committee went into Executive Session at 9:07 pm.

Upon motion by Deputy Mayor McCauley, seconded by Committeeman DelCore, the public meeting was re-opened at 9:40 pm.

Township Attorney Eric Bernstein stated a discussion was had about Somerville Business Park. No formal action needs to be taken at this time. A discussion was had about Hillsborough Properties. No formal action needs to be taken at this time.

ADJOURNMENT

Upon motion by Deputy Mayor McCauley, seconded by Committeeman DelCore, the meeting duly adjourned at 9:41 pm. Said motion was carried unanimously upon voice vote.

Attested:

Pamela Borek
Township Clerk