

Minutes of the Regular Meeting of the Township Committee of the Township of Hillsborough, in the County of Somerset, State of New Jersey, held in the Municipal Complex at 7:30 p.m. on the November 8, 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 November 8, 2017.

### **MOMENT OF SILENCE**

Mayor Suraci stated on Tuesday, October 31st and again this past Sunday, November 5th innocent souls were lost in acts of senseless violence, he called for a moment of silence for the victims.

### **APPROVAL OF MINUTES**

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

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

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

#### **Committeeman Burchette**

Committeeman Burchette congratulated Committeeman Tomson and Deputy Mayor McCauley on the election.

Committeeman Burchette stated the Hillsborough Rotary Club gave away 750 Dictionaries to third graders in the Hillsborough and Manville school districts. Police Chief Darren Powell and Committeeman Burchette assisted in the distribution.

Committeeman Burchette stated Hillsborough Township received a Historic preservation grant award from Somerset County in the amount of \$293,938 for continued renovation of the Van der Veer Harris House.

Committeeman Burchette attended the HBA Fall Business Social on October 26th at the Falcons Nest, formerly the Polish Falcon. Committeeman Burchette thanked the Hillsborough Business Community and Falcons Nest.

Committeeman Burchette reported the activity of the Building Department often ties into the Business Community, as such permits for Starbucks, Chipotle and Hillsborough Nail Salon were recently issued.

Committeeman Burchette advised residents to please refrain from piling leaves near storm sewer catch basins. DEP requires stockpiling leaves to be a minimum of 10 feet from any storm sewer. Leaves clog the storm sewers and cause contamination to streams and rivers.

Committeeman Burchette stated the DPW staff recently assisted in the Wescott & Amwell Roads Stormwater Basin Retrofit Project. Equipment and personnel helped by digging holes for the trees and moving the trees by the holes for the Rutgers group to plant.

Committeeman Burchette reported DPW has started the leaf collection and drop off program. There are 6 crews working throughout the town. Every area will receive 2 passes except where traffic is a concern. The Auten Road site is open on Saturdays from 7am to 3pm. Leaves must be dumped out of all bags whether biodegradable or not. The majority of leaves are given to local farmers. Residents are urged to follow all directions and suggestions for leaf collection and drop off.

Committeeman Burchette advised there are no longer any dump coupons available as they have been distributed to the residents. Please continue to monitor the township website for the 2018 schedule to be posted in January on the township website under the Public Works Link.

Committeeman Burchette urged residents to inspect and fix or replace their mailboxes prior to the upcoming winter. Rotted posts or mailboxes in a general state of disrepair will not be considered for replacement or reimbursement by the town in the event they are knocked over during a storm by the snow coming off of the plows.

### **Committeeman DelCore**

Committeeman DelCore congratulated Committeeman Tomson and Deputy Mayor McCauley.

Committeeman DelCore stated the Peter J. Biondi memorial run was held this past Sunday and benefits SHIP. It was a well attended event. Mayor Suraci and Deputy Mayor McCauley accompanied him at the event.

Committeeman DelCore and Deputy Mayor McCauley attended a special Veterans Day event at Triangle School. It was an inspiring program put on by the school.

Committeeman DelCore stated in light of the recent events in New York and in Texas the See Something Say Something Campaign is increasingly important. The New Jersey Office of Homeland Security and Preparedness urges all residents to participate in their counter-terrorism efforts and report any suspicious activity. Safe NJ is a mobile app that enables residents to instantly report suspicious activity from a smartphone or mobile device. Check out Safe NJ on iTunes, Google Play and Microsoft Libraries.

Committeeman DelCore reported residents may soon notice many of our Police Officers growing beards. During the months of October and November, the Police Department participates in a charitable fundraising effort known as "Pinktober and No Shave Movember". For a \$20 donation from each participating employee, Chief Powell is allowing male employees to grow beards during the month of November, which are normally not authorized under Police Department rules. Participating female employees are wearing blue ribbons on their uniforms. During the month of October all employees wore pink ribbons on their uniforms. The Hillsborough Policemen's Benevolent Association Local #205 makes a matching donation. All monies raised will be donated to local charities.

Committeeman DelCore invited 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 Tomson**

Committeeman Tomson stated on the Saturday before Halloween he attended the Howl-o-ween with Deputy Mayor McCauley and Mayor Suraci. It was a well attended event with several dogs in great costumes.

Committeeman Tomson stated the Winter Recreation Brochure will be released tomorrow, November 9th. The Christmas Tree Lighting will be held on Friday, December 1st at 6 pm and the Menorah Lighting will be held on Tuesday, December 12th at 6 pm, sponsored by Chabad Center for Jewish Life.

Committeeman Tomson advised in town basketball is scheduled to start in the beginning of December. While most leagues are at max capacity there are still a handful of spots remaining in our High School Leagues.

Committeeman Tomson thanked Township Administrator Anthony Ferrera and Township Clerk Pamela Borek for their work during election day noting the voting went smoothly without any issues or complaints.

Committeeman Tomson thanked the residents of Hillsborough for voting for him and Deputy Mayor McCauley for an additional 3 years.

**Deputy Mayor McCauley**

Deputy Mayor McCauley noted all the municipal employees wore red last month in support of Wear Red Day - Drug & Alcohol Awareness.

Deputy Mayor McCauley attended the Children's Halloween Party. The Recreation Department did a great job decorating the multi purpose room along with organizing activities outside.

Deputy Mayor McCauley stated she too attended the Howl-o-ween event and enjoyed seeing all the dogs in costume.

Deputy Mayor McCauley attended a ribbon cutting along with Committeeman Tomson for an Eagle Scout Recycling Receptacle project.

Deputy Mayor McCauley provided one last reminder that 4th quarter tax payments are due by the close of business on Monday November 13th. After that date, taxes are considered delinquent and interest will be charged.

Deputy Mayor McCauley reported pet owners will receive the renewals for their dog licenses early in December, Renewals can be processed after January 1st. In order to get a dog license, the dog's rabies vaccination must be current through October 31 of the licensing year. The Hillsborough Health Department will hold a free rabies vaccination clinic for dogs and cats at the Public Works Garage during January 2018 - stay tuned for the date details.

Deputy Mayor McCauley advised free rabies vaccination clinics in NJ are open to all NJ residents unless specified by the town. Rabies clinic dates in the area have been posted on the Health Department website under " Animal Alley". Although there is no ordinance for cat licensing, there is a Mandatory Cat Vaccination Ordinance in Hillsborough that requires all cats to be currently vaccinated against rabies. Currently, cats are the domestic animal most likely to get rabies in NJ. Residents should be aware that rabies is now present in wildlife in all of New Jersey, and the only prevention is rabies vaccination. Even indoor cats can be exposed to rabies if they should get outside, or if they attack a bat that enters the home. Please make sure to protect your pets which will protect your family. Rabies is fatal to people unless treated before symptoms begin.

Deputy Mayor McCauley stated November 16, 2017 is designated as the "Night of Conversation" to encourage conversation and public disclosure about drugs and alcohol addiction. This is just another collaborative effort of our Hillsborough-Millstone Municipal Alliance.

Deputy Mayor McCauley thanked the voters and congratulated Committeeman Tomson on the election.

**Mayor Suraci**

Mayor Suraci congratulated both Deputy Mayor McCauley and Committeeman Tomson on the election.

Mayor Suraci thanked all of the volunteers of the Municipal Alliance who tirelessly work behind the scenes bringing education and awareness and education programs to the community. The Red Ribbon Football game was very well attended by Red Ribbon volunteers.

Mayor Suraci stated 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.

Mayor Suraci announced Saturday, January 13th will be Hillsborough Devils night with a group photo on center ice. Township Clerk Pamela Borek advised the first 9000 fans in attendance will get a Chico Resh mini stick. Other announcements and events associated with Hillsborough Devils night will be forthcoming.

## **PROCLAMATIONS/PRESENTATIONS/APPOINTMENTS**

### **PROCLAMATIONS / APPOINTMENTS**

- *Proclamation honoring Luke Angello for earning the status of Eagle Scout*

*WHEREAS, Luke Angello, a Junior at Hillsborough High School and a member of Boy Scout Troop 89, has recently earned the status of Eagle Scout; and*

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

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

*WHEREAS, Luke's Eagle Scout Project consisted of an extensive landscaping project benefiting the Samaritan Homeless Interim Project (SHIP). The project involved restoring a washed out sloped path to a picnic area and provided safe and easy access. The project required removal of debris, construction of graduated steps and a retaining wall, excavation, seven tons of pea gravel and river rock fill, and finished with two rows of boxwood bushes; and*

*WHEREAS, Luke has been inducted into the Order of the Arrow, was Senior Patrol Leader, Den Chief and Scribe and Patrol Leader; and*

*WHEREAS, Luke is a member of the Hillsborough High School Marching Band as well as a member of the wind, brass and jazz ensembles; and*

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

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

- *Proclamation honoring Stephen Mondoro for earning the status of Eagle Scout*

*WHEREAS, Stephen Mondoro, a Junior at Hillsborough High School and a member of Boy Scout Troop 89, has recently earned the status of Eagle Scout; and*

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

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

*WHEREAS, Stephen's Eagle Scout Project consisted of constructing distance and directional signs along the athletic fields running loop at Hillsborough High School. The signs were constructed from pressure treated lumber and cedar, routed and painted to withstand the elements, and were drilled and cemented into the facility grounds. The signs are used by high school teams to train and by school visitors to help navigate the facilities and athletic fields; and*

*WHEREAS, Stephen has been inducted into the Order of the Arrow and was a Patrol Leader and Senior Patrol Leader of Troop 89; and*

*WHEREAS, Stephen is an honor student, Drum Major of the Hillsborough High School Marching Band, member of wind, brass, and jazz ensembles as well as a member of the Hillsborough High School Boys Track team; and*

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

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

- *Proclamation honoring Seamus Harding for winning the Somerset County Diving Championship, the Boys State Championship for Diving and being named to the All-American list as a Freshman*

*WHEREAS, Seamus Harding, a sophomore at Notre Dame High School in Lawrenceville, New Jersey and is a member of the diving team; and*

*WHEREAS, Seamus also dives for LOB Diving out of Rutgers University, a United States Diving Club coached by Fred Woodruff, Rutgers Diving Coach; and*

*WHEREAS, Seamus recently won the Somerset County Championship, the Boys State Championship for Diving and most recently named to the All-American list as a Freshman; and*

*WHEREAS, Seamus' best dive was a forward two-and-a-half somersault from the pike position with a degree of difficulty of 2.6 and scored a 68.90; and*

*WHEREAS, Seamus received the only three “10’s” of the meet, earning one for a back dive from the pike position with a degree of difficulty of 1.6, where he earned 44.80 points and two “10’s” from the inward dive from the pike position with a degree of difficulty of 1.5; and*

*WHEREAS, Seamus not only won the NJSIAA/Parisi Speed School Diving Championship but set a championship record with 591 points.*

*NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Hillsborough Township Committee, do hereby recognize and extend our sincere congratulations to Seamus Harding for having won the NJSIAA/Parisi Speed School Diving Championship and setting a new championship record, an honor for both him and for those who guided him, with best wishes for a bright future.*

**PRESENTATIONS**

- *Advanced Eyecare & Vision Gallery serving Hillsborough for 35 years*

**NEW BUSINESS**

- *None*

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

- *None*

**PUBLIC HEARINGS**

- *None*

**INTRODUCTION OF NEW ORDINANCES**

**2017-20 AN ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY, AMENDING CHAPTER 188 “LAND USE AND DEVELOPMENT”, ARTICLE V “DISTRICTS AND STANDARDS”, SECTION 188-113.1 “GA GATEWAY A DISTRICT” OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, BY AMENDING SECTION 113.1 TO ADD NEW SUBSECTION J “MULTIFAMILY INCLUSIONARY OVERLAY DISTRICT”**

**Chapter 188. Land Use and Development**

**Amend Chapter 188 of the Code of the Township of Hillsborough by amending Section 113.1 to read as follows:**

**Section 113.1. GA Gateway A District.**

*New Section*

**J. Multifamily Inclusionary Overlay District**

(1) Purpose, applicability, and affordable housing obligation.

- (a) The purpose of the Multifamily Inclusionary Overlay District is to provide an incentive for the construction of affordable multifamily housing in the Gateway A District. The standards are intended to offer maximum flexibility for site design and selection of dwelling unit types in order to offer a balanced housing pattern attractive to all income and age segments of the community as part of the Township's fair share housing plan for meeting the region's low and moderate-income housing needs.
  - (b) This overlay district applies to the following properties: Block 200.01; Lots 4, 5 and 6 on the Hillsborough Township Tax Map, which must be planned and developed as a single tract to qualify for the overlay option. For the purposes of this section a "tract" is defined as an area of land comprised of one or more adjacent lots which together have sufficient dimension and area to make one parcel of land meeting the requirements of this section for the uses intended.
  - (c) A minimum of 24% of the total number of residential units shall be low-and moderate-income units in accordance with applicable affordable housing regulations, including but not limited to Article VII of this Chapter; but in no case shall there be less than 31 low-and moderate-income units provided on the tract regardless of the total number of units constructed.
- (2) Permitted principal uses in the overlay district: Multifamily residential buildings.
  - (3) Permitted accessory uses in the overlay district.
    - (a) Garages, storage sheds, maintenance offices, property management offices, and non-commercial community recreational facilities associated with residential communities.
    - (b) All other uses customarily incidental and accessory to a multifamily residential community.
- (4) Tract requirements. The minimum tract size shall be 9.3 acres with a minimum of 430 feet of frontage on Amwell Road.
  - (5) Yard and bulk requirements for multifamily buildings.
    - (a) Minimum lot size: 9.3 acres.
    - (b) Minimum lot frontage: 430 feet on Amwell Road.
    - (c) Minimum lot width: 430 feet.
    - (d) Minimum lot depth: 945 feet.
    - (e) Minimum front yard setback: 80 feet from Amwell Road; 100 feet from Steinmetz Road.
    - (f) Minimum side yard setback: 20 feet from tract or lot boundary.
    - (g) Maximum total impervious coverage: 60%.
    - (h) Maximum building height.



[1] Multifamily dwellings: 45 feet/3 stories.

[2] Accessory buildings: 20 feet.

(i) Maximum building length: 220 feet (see supplemental regulations regarding building length).

(j) Minimum building-to-building distance requirements: 25 feet except for accessory structures/buildings.

(6) Maximum residential units. The total number of dwelling units on the tract shall not exceed 126 units.

(7) Parking requirements.

(a) Parking shall be provided in accordance with the R.S.I.S.

(b) Parking is prohibited between the forward-most building and Amwell Road.

(c) Any parking that is visible from Amwell Road shall be appropriately screened.

(8) Signs.

The tract in question may have one permanent entry sign with a maximum area of 20 square feet and shall not exceed a height of six feet. The permanent sign shall be located near the entrance drive but shall not be located within any sight triangles nor closer than 10 feet from a public right-of-way or within any sight triangles. The sign shall otherwise meet the requirements of Sections 188-113.1.H and 188-83.

(9) Supplemental regulations.

(a) To the extent that the regulations contained herein conflict with any other portion of the zoning ordinance, the regulations herein shall control any development in this overlay district.

(b) Buildings and site improvements shall be designed to minimize changes to existing topography and mature vegetation to the extent reasonably appropriate. A landscape plan shall be provided for the entire site and shall be prepared by a licensed Landscape Architect.

(c) Exterior building design shall be coordinated with regard to color, types of materials, architectural form, and detailing. Multiple buildings on the same site shall be designed to create a cohesive relationship between the buildings. The requirements contained in Sections 188-167 to 188-175 of the Architectural and Site Design (ASD) Overlay Zone shall apply, except as otherwise provided in the Gateway A District or this subsection. In addition, residential buildings in this overlay district may exceed the 100-foot maximum wall length established in Section 188-175.B(5) of the ASDO if it can be demonstrated that the appropriate design features have been employed to modulate the facade to give the appearance of several buildings and otherwise comply with that section.

(d) No rear walls or blank walls shall face Amwell Road.

(e) There shall be a minimum 20-foot buffer adjacent to any residential district or existing residential use. Such buffer shall be reviewed by the proper approving board to determine if the existing vegetation provides a sufficient year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or a fence or berm. Once all screening/landscaping improvements are completed, a conservation easement shall be established by the applicant for the buffer area.

(f) Fencing may be included on the perimeter of the tract, or within the tract, provided the fencing is of an architecturally compatible design and consistent throughout the tract. Solid fences are prohibited. No fence shall exceed a height of five feet above finished grade. No fencing is permitted closer to the street than the front-most building wall on the tract.

(g) An internal pedestrian circulation system shall be provided in accordance with Section 113.1.F. [5] and [6]. Appropriate sidewalks, pavement treatments, crosswalks, and signage shall be provided. A pedestrian walkway at least five feet in width shall connect the internal pedestrian system to the public sidewalk along Amwell Road.

(h) To the extent feasible, opportunities for future pedestrian, bicycle, and vehicular cross-access to adjoining commercial properties should be designed into the project. Shared driveways that serve more than one property may be provided where deemed appropriate by the applicable Board.

(i) There is no floor area ratio requirement in the overlay district.

(j) Any phasing of the project shall be subject to approval of a phasing plan by the applicable Board submitted with the site plan application.

This ordinance shall take effect upon its adoption, passage and publication according to law.

Mayor Suraci stated this ordinance creates a multi-family overlay option in the above zone.

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

**2017-21 AN ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY, AMENDING THE “REDEVELOPMENT PLAN BELLE MEAD GSA DEPOT”, SECTION VI “LAND USE PLAN AND DESIGN GUIDELINES”, SUBSECTIONS B “PERMITTED PRINCIPAL USES”, C “ACCESSORY USES”, E “AREA, YARD AND BULK REGULATIONS”, AND F SUPPLEMENTARY REGULATIONS**

**WHEREAS**, the Township Committee adopted a Resolution on April 22, 2008 determining that the properties identified on the Township’s official Tax Map as Block 175, Lots 39.01 and 39.03 and Block 177, Lots 23.01, 23.03, and 23.04 (“Belle Mead GSA Depot Redevelopment Area”) are an “area in need of redevelopment” under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (“LRHL”); and

**WHEREAS**, the Township Committee subsequently arranged for Bruce Rydel of CME Associates, a licensed professional planner of the State of New Jersey, to prepare a proposed redevelopment plan for the Belle Mead GSA Depot Redevelopment Area; and

**WHEREAS**, CME Associates prepared a proposed redevelopment plan for the Belle Mead GSA Depot Redevelopment Area, dated October 2008 (the “Redevelopment Plan”); and

**WHEREAS**, the Township Committee thereafter referred the Redevelopment Plan to the Township of Hillsborough Planning Board (“Planning Board”) for the Planning Board’s review and recommendation in accordance with N.J.S.A. 40A:12A-7e; and

**WHEREAS**, on October 23, 2008, the Planning Board adopted a Resolution determining that the Redevelopment Plan is consistent with the Township’s Master Plan and recommending that the Township Committee adopt the Redevelopment Plan; and

**WHEREAS**, the Township Committee reviewed the Redevelopment Plan for the Belle Mead GSA Depot Redevelopment Area and the recommendations of the Planning Board; and

**WHEREAS**, the Township Committee determined that it is was in the public interest to adopt the Redevelopment Plan for the Belle Mead GSA Depot Redevelopment Area; and

**WHEREAS**, on December 9, 2009, the Township Committee adopted Ordinance 2008-42 approving the Redevelopment Plan for the Belle Mead GSA Depot; and

**WHEREAS**, the Township Planning Director reviewed the Redevelopment Plan for the Belle Mead GSA Depot and recommends certain amendments thereto.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the “Redevelopment Plan Belle Mead GSA Depot” be amended as follows:

**Section 1.**

**VI. LAND USE PLAN AND DESIGN GUIDELINES**

**B. Permitted Principal Uses.**

7. A variety of passive and active recreation uses which may contain indoor and/or outdoor facilities, such as ball fields, multi-use fields, basketball courts, tennis courts, and a skate park provided that such uses may include ~~seasonal~~ accessory structures associated therewith, including inflatable bubbles.

**C. Accessory Uses**

7. An indoor commercial recreation facility may include sales of retail goods related to on-site activities, day-care services, food and beverage concessions, medical offices and clinics, and meeting spaces as accessory uses. All such uses must be accessory to and subordinate to the principal use and must be contained within the principal building(s). The total area for accessory uses shall not exceed, in the aggregate, 20% of the total building area.

### **E. Area, Yard and Bulk Regulations.**

3. The maximum building height shall be three (3) stories and forty (40) feet on average, except as provided for in E.8. below. Building height is defined as the vertical distance from the average grade at the ground level adjoining all exterior walls to the top of the highest gable, slope or hip roof or otherwise to the highest point of the roof. The average height in feet shall be the average of the highest and lowest vertical point of the building. In no case shall any point of a building exceed 50 feet in height.

8. Inflatable domes constructed as part of a public or private recreational facility shall comply with the following standards:

- (a) The dome shall be associated with and ancillary to a permanent indoor structure.
- (b) There shall be no more than two domes affiliated with the facility.
- (c) Only one dome may exceed the height requirements in E.3. above, and only if that dome is used solely to house a regulation size athletic field. In such circumstance, the maximum permitted height shall be 75 feet and no more than 2.5% of the dome roof surface may reach 75 feet in height.
- (d) A dome may only exceed the maximum permitted height in E.3. if it is set back from all lot lines at least 125 feet. Furthermore, the portion of the structure exceeding the maximum permitted height shall not be used for habitable occupancy.
- (e) Domed structures shall be located so as to minimize their visibility from neighboring residential properties or public streets.

### **F. Supplementary Regulations.**

8. Parking and circulation.

(a) The minimum number of required off-street parking spaces for the permitted uses in the RD District is as follows:

(9) Community scale indoor ~~and outdoor~~ recreation facilities at 5 spaces per 1,000 square feet of usable floor area dedicated to the recreational activity; such as an equestrian stable or ball field plus parking for any non-recreational accessory uses in accordance with Section 188-68 of the Hillsborough Land Use and Development Ordinance.

(10) Outdoor and indoor athletic fields at 40 spaces for each regulation field.

**Section 2.** The “Redevelopment Plan Belle Mead Depot” as amended above shall supersede all previous zoning standards and development regulations for the Belle Mead GSA Depot Redevelopment Area.

**Section 3.** This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning, and land use regulations. All other ordinances or other local requirements that are inconsistent or in conflict with this Ordinance are hereby repealed to the extent of any inconsistency or conflict, and the provisions of this Ordinance shall apply.

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

**Section 5.** After introduction, the Township Clerk shall submit a copy of this Ordinance to the Planning Board for its review in accordance with N.J.S.A. 40A:12A-7(e). The Planning Board is directed to make and transmit to the Township Committee within 45 days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

**Section 6.** This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Mayor Suraci stated this proposal will fill in regulatory gaps in the redevelopment plan relating to recreational facilities.

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

## **CONSIDERATIONS**

### **1. RESOLUTION AUTHORIZING SPECIAL ITEM OF REVENUE AND APPROPRIATION**

*Pursuant to N.J.S.A. 40A:87 (Chapter 159, P.L. 1948)*

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the Township has received \$4,597.60 in an additional grant and wishes to amend its 2017 Budget to include this grant.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Hillsborough hereby 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 item is now available as a revenue from:

**NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF HIGHWAY TRAFFIC SAFETY**

**STATE BODY ARMOR GRANT**

**\$4,597.60**

**BE IT FURTHER RESOLVED** that a like sum, be, and the same, hereby is appropriated under the above appropriation title.

Mayor Suraci stated this resolution is the acceptance of a grant funds to purchase body armor for the Police Department.

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

**2. RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT TO STR BUSINESS SOLUTIONS FOR THE LEASE OF A POSTAGE MACHINE FOR A 39-MONTH PERIOD BEGINNING NOVEMBER 1, 2017**

**WHEREAS**, the lease on the current postage machine has expired and the current machine needs to be replaced and upgraded; and

**WHEREAS**, the Qualified Purchasing Agent has received quotes for the lease of a new machine as follows:

STR Business Solutions	\$333.00 per month for 39 months
PBS Company	\$397.00 per month for 39 months
Jersey Mail Machines	No Quote

**WHEREAS**, funds are available and have been certified as such by the Chief Financial Officer and 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 Qualified Purchasing Agent is hereby authorized to sign a lease agreement with STR Business Solutions for the lease of a postage machine in an amount not to exceed \$333.00 per month for a 39 month period, beginning November 1, 2017.

Mayor Suraci stated the lease expired on the previous equipment. Three quotes were received and this resolution authorizes a new contract for this equipment. This agreement represents a savings of \$2500 over the life of the lease.

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

**3. RESOLUTION APPROVING 2017 BUDGET TRANSFERS**

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

**WHEREAS**, there is a need to do appropriation transfers between appropriations in the 2017 Municipal Budget.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Hillsborough that the Chief Finance Officer be authorized to make transfers between the following appropriations in the 2017 Budget:

TO:	Outside Legal	OE 712	20,000.00
	Emergency Management	OE 747	25,000.00
	Gasoline	OE 833	45,000.00
	<b>TOTAL</b>		<b>90,000.00</b>
FROM:	Tax Assessor	OE 710	20,000.00
	First Aid Contribution	OE 750	25,000.00
	Street Lighting	OE 826	45,000.00
	<b>TOTAL</b>		<b>90,000.00</b>

Mayor Suraci stated State law permits the transfer of funds in the last two months of the fiscal year and the first 3 months of the following year. It is necessary to make these adjustments contained within the resolution.

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

**4. RESOLUTION AUTHORIZING THE PURCHASE OF A 2018 POLARIS RANGER XP 1000 WITH ACCESSORIES FROM WALT’S OUTDOOR CENTER IN AN AMOUNT NOT TO EXCEED \$17,970.00**

**WHEREAS**, the Township of Hillsborough solicited quotes for the purchase a 2018 Polaris Ranger XP 1000 with accessories and three (3) responses were received as follows:

Walt’s Outdoor Center	\$17,970.00
Flemington Circle Yamaha	\$18,681.66
Rollin’ Fast Cycle Sports	\$19,633.96

**WHEREAS**, the OEM Director and the Township Qualified Purchasing Agent recommend the award of a contract to Walt’s Outdoor Center in an amount not to exceed \$17,970.00; 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 2018 Polaris Ranger XP 1000 with accessories from Walt's Outdoor Center in an amount not to exceed \$17,970.00.

Mayor Suraci stated this is to replace a 15 year old vehicle that has significant mechanical issues. It has reached the end of its useful life.

Committeeman DelCore stated OEM said this will be very useful in tough areas such as the Sourlands and wooded areas in terms of rescue.

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

**5. RESOLUTION AUTHORIZING ADJUSTMENTS OF VARIOUS PROFESSIONAL SERVICES CONTRACTS FOR THE YEAR 2017**

**WHEREAS**, on January 7, 2017, as a result of the fair and open procurement process, N.J.S.A. 19:44A-20.4-5 et seq., a contract for "Professional Services" was awarded to DiFrancesco, Bateman, Kunzman, Davis, Lehrer, and Flaum, P.C., as Township Attorney in an amount not to exceed \$30,000.00 for the year 2017; and

**WHEREAS**, on August 8, 2017, an authorization increased this amount by an additional \$50,000 for legal services provided by the Township Attorney for 2017; and

**WHEREAS**, there is now the necessity for authorization increasing this amount by an additional \$30,000 for legal services provided by the Township Attorney for 2017; and

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

**WHEREAS**, on January 7, 2017, as a result of the fair and open procurement process, N.J.S.A. 19:44A-20.4-5 et seq., a contract for "Professional Services" was awarded to Eric M. Bernstein and Associates as Labor Attorney in an amount not to exceed \$20,000.00 for the year 2017; and

**WHEREAS**, on August 8, 2017, an authorization increased this amount by an additional \$50,000 for legal services provided by the Labor Attorney for 2017; and

**WHEREAS**, there is now the necessity for authorization increasing this amount by an additional \$20,000.00 for legal services provided by the Labor Attorney for 2017; and

**WHEREAS**, funds are available and have been certified as such by the Chief Finance Officer and 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. That DiFrancesco, Bateman, Kunzman, Davis, Lehrer, and Flaum, P.C., is authorized to perform professional services as Township Attorney through December 31, 2017, in an additional amount not to exceed \$30,000.00.
2. That Eric M. Bernstein and Associates is authorized to perform professional services as Labor Attorney through December 31, 2017, in an additional amount not to exceed \$20,000.00.

Mayor Suraci stated this resolution authorizes the adjustments required to complete the town's legal obligations through 2017.

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

**6. RESOLUTION AUTHORIZING THE HIRING OF CHRISTOPHER HUDDY, AS A FULL TIME ASSISTANT BUILDING SUB-CODE OFFICIAL IN THE TOWNSHIP OF HILLSBOROUGH BUILDING DEPARTMENT EFFECTIVE NOVEMBER 9, 2017 AT A SALARY OF \$78,000.00**

**WHEREAS**, there exists a need for a full time Assistant Building Sub-Code Official in the Township of Hillsborough Building Department; and

**WHEREAS**, Christopher Huddy has over two years of experience working for Hillsborough Township as a full-time Building Inspector; and

**WHEREAS**, the Construction Official recommends the hiring of Christopher Huddy, as a full time Assistant Building Sub-Code Official effective November 9, 2017 at an annual salary of \$78,000.00.

**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 Christopher Huddy as a full time Assistant Building Sub-Code Official effective November 9, 2017 at an annual salary of \$78,000.00.

Mayor Suraci stated there exists a vacancy in the position of full time assistant building sub-code official. Mr. Huddy has been a dedicated employee in the building department of over two years and remains committed to the Township.

Township Administrator Anthony Ferrera stated Construction Official John Fiedler was not able to attend the meeting. Township Administrator Anthony Ferrera congratulated Mr. Huddy on his promotion.

Committeeman DelCore stated it is nice to see a promotion from within.

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

**7. RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF REMOTE EQUIPMENT CONTROLLERS AT AVM PARK AND DOCHERTY PARK BY QUALITY ELECTRICAL CONTRACTORS IN AN AMOUNT NOT TO EXCEED \$18,900.00**

**WHEREAS**, the Township of Hillsborough solicited quotes for the purchase and installation of Remote Equipment Controllers at AVM Park and Docherty Park and three (3) responses were received as follows:

Quality Electrical Contractors	\$18,900.00
Musco Lighting	\$19,950.00
Faigon Electrical Contractors	\$29,950.00

**WHEREAS**, Director of Parks & Recreation and the Township Qualified Purchasing Agent recommends the award of a contract to Quality Electrical Contractors in an amount not to exceed \$18,900.00; 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 and installation of Remote Equipment Controllers at AVM Park and Docherty Park from Quality Electrical Contractors in an amount not to exceed \$18,900.00.

Mayor Suraci stated this equipment will allow for more efficient utilization of the lighting in this park.

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

**CONSENT AGENDA**

**1. RESOLUTION AUTHORIZING THE TOWNSHIP QUALIFIED PURCHASING AGENT TO SOLICIT REQUESTS FOR PROPOSALS THROUGH THE FAIR AND OPEN SELECTION PROCESS FOR PROFESSIONAL SERVICES FOR 2018**

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

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

**WHEREAS**, the Hillsborough Township Committee has chosen the Fair and Open process for the selection of professionals, which requires the public solicitation on the Township’s website of a request for proposal from any interested party for the various professional services and the Township Committee intends to use the process again in 2018; and

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

- Township Attorney
- Labor Attorney
- Open Space Attorney

Planning Board Attorney  
Board of Adjustment Attorney  
Bond Counsel  
Municipal Auditor  
Consulting Township Engineer and Planning Consulting Services  
Planning Board Engineer  
Planning Board Alternate Engineer  
Board of Adjustment Engineer  
Board of Adjustment Alternate Engineer  
Township Architect  
Financial Advisor  
Affordable Housing Planning Consultant  
Affordable Housing Administrative Agent  
Affordable Housing Administrative Agent for Rehabilitation Programs  
Special Counsel for Affordable Housing Matters  
Engineering Inspection Services  
Risk Management Consultant – JIF and Employee Benefits Management  
Employee Assistance Program

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Township Qualified Purchasing Agent is hereby authorized to solicit Requests for Proposals through the Fair and Open Selection Process for the above listed positions for 2018.

**2. RESOLUTION RATIFYING AND CONFIRMING THE REQUEST FROM THE HILLSBOROUGH YMCA TO HOLD THE iRUN 5K RACE IN HILLSBOROUGH TOWNSHIP ON SATURDAY, OCTOBER 28, 2017, PURSUANT TO THE REQUIREMENTS OUTLINED BY CHIEF DARREN POWELL**

**WHEREAS**, the Hillsborough YMCA requested permission to hold the iRun 5K Race on Saturday, October 28, 2017, in Hillsborough Township; and

**WHEREAS**, the Hillsborough YMCA produced a certificate of insurance naming the Township of Hillsborough as an insured; and

**WHEREAS**, Chief Powell and Hillsborough Township Police Department's Traffic Safety Bureau determined that the planned route will provide an acceptable level of safety for the runners.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, ratifies and confirms the authorization for the Hillsborough YMCA holding a race in Hillsborough Township on Saturday, October 28, 2017.

**3. RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT IN THE AMOUNT OF \$19,039.46  
(1 total property)**

**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, \$19,039.46, properties, 1.

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<b>Block</b>	<b>Lot</b>	<b>Name</b>	<b>Amount</b>	<b>Qtr</b>	<b>Year</b>
49	1	Duke Farms Foundation	\$19,039.46	4 <sup>th</sup>	2017

**4. RESOLUTION AUTHORIZING THE REFUND OF RECREATION PROGRAM FEES IN THE AMOUNT OF \$135.00**

**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 \$135.00.

**5. RESOLUTION AUTHORIZING EXECUTION OF COMMODITY RESALE AGREEMENT WITH COUNTY OF SOMERSET**

**WHEREAS**, pursuant to N.J.S.A. 5:34-7.15, a contracting unit which purchases gasoline, diesel fuel or snow removal chemicals, public works materials and supplies, including road and roadway construction materials or any other such materials as may be approved by the Director directly from a vendor for its own consumption, may resell a portion of that commodity to another local contracting unit; and

**WHEREAS**, the County of Somerset has implemented the Somerset County Commodity Resale System #201SCCRS, in accordance with N.J.A.C. 5:34-17.15; and

**WHEREAS**, the County of Somerset and the Township of Hillsborough wish to enter into an Agreement whereby the Township may purchase from the County various commodities through the Somerset County Commodity Resale System #201SCCRS.

**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 Clerk are authorized to execute the attached Commodity Resale Agreement with the County of Somerset for the purchase of various commodities through the Somerset County Commodity Resale System #201SCCRS.

**6. RESOLUTION AUTHORIZING A SALARY INCREASE AND TITLE CHANGE FOR JACK THOLE, A PART-TIME OFFICE ASSISTANT TO PART-TIME**

**FLOATER FOR THE TOWNSHIP OF HILLSBOROUGH, TO \$14.50 PER HOUR,  
NOT TO EXCEED 29 HOURS PER WEEK, EFFECTIVE NOVEMBER 9, 2017**

**WHEREAS**, the Administrator recommends a salary increase and title change for Jack Thole, a part-time office assistant to part-time floater for the Township of Hillsborough, to an hourly rate of \$14.50 per hour, not to exceed 29 hours per week, due to additional responsibilities he will assume.

**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 Administrator, be and hereby is accepted and approved.

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

**CLAIMS LIST**

Mayor Suraci asked to approve Claims List 2017-21.

Upon the motion of Committeeman Burchette seconded by Deputy Mayor McCauley, Claims List 2017-21 was unanimously approved upon call of the roll.

Mayor Suraci noted the next meeting of this Committee will be Tuesday, December 12th.

**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. *Apex Sports and Events, LLC*
  - 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 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 8:28 pm.

Upon motion by Committeeman Tomson, seconded by Deputy Mayor McCauley, the public meeting was re-opened at 8:49 pm.

Township Attorney William Willard stated no official action is to be taken on either Apex Sports and Events, LLC or Hillsborough Properties.

#### **ADJOURNMENT**

Upon motion by Deputy Mayor McCauley, seconded by Committeeman Tomson, the meeting duly adjourned at 8:49 pm. Said motion was carried unanimously upon voice vote.

Attested:

Pamela Borek  
Township Clerk