

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 above date.

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

### **SALUTE TO THE FLAG**

Following roll call, Mayor DelCore advised that notice of this meeting was made in accordance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Laws of 1975, by posting on the bulletin board at the Hillsborough Township Municipal Complex and notifying the officially designated newspapers that this meeting would take place at the Hillsborough Township Municipal Complex at 7:30 p.m. on January 22, 2013.

### **APPROVAL OF MINUTES**

#### ***Approval of the December 11, 2012 Executive Session Minutes***

Upon motion by Committeeman McCauley, seconded by Deputy Mayor Tomson, the minutes of the December 11, 2012, Executive Session was approved upon the call of the roll.

Abstain – Burchette, Suraci

#### ***Approval of the December 18, 2012 Regular Meeting Minutes***

Upon motion by Deputy Mayor Tomson, seconded by Committeewoman McCauley, the minutes of the December 18, 2012, Regular Meeting Minutes was approved upon the call of the roll.

Abstain – Burchette

#### ***Approval of the January 8, 2013 Executive Session Minutes***

Upon motion by Committeewoman McCauley, seconded by Committeeman Burchette, the minutes of the January 8, 2013, Executive Session Minutes was approved upon the call of the roll.

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

#### **Committeeman Burchette**

Committeeman Burchette announced that Township Administrator Anthony Ferrera and Kevin Sweeney would be the new chair members for the Sign Review Committee.

Committeeman Burchette stated that Cynthia Klepich will chair the Economic Business Development Committee.

Committeeman Burchette announced that Marian Fenwick would be the new chair for the Board of Adjustment Committee with Chickie Hanes as the vice chair.

Committeeman Burchette stated that Gil Pilarte will chair for the Hillsborough Millstone Municipal Alliance with Tomas Ormosi as the vice chair.

Committeeman Burchette thanked all of the volunteers that have come forward to chair and vice chair these committees.

Committeeman Burchette reminded residents that Ordinance 143-21 prohibits parking on snow covered roads. Cars will be towed at the owner's expense. Committeeman Burchette added that in order for the Department of Public Works to do their job effectively, the roads must be clear of vehicles.

Committeeman Burchette stated that the deadline for waiver construction permits associated with Super Storm Sandy is January 31, 2013.

Committeeman Burchette added that the next EBDC social will be in early March. Please stay tuned as the date gets closer for more information.

**Committeewoman McCauley**

Committeewoman McCauley reminded residents and business owners that all alarms need to be registered for their homes or businesses. There is a registration form available at the Township's website. Committeeman McCauley added that there is a one-time fee and the alarm stays registered until you move from the residence.

Committeewoman McCauley stated that Sustainable Hillsborough met on Thursday January 17, 2013. Committeewoman McCauley thanked all of the members on this board for their time and effort as they continue with more certifications.

Committeewoman McCauley announced that the Townships Credit Card Advisory Committee has opened the application process from February 1, 2013 – February 28, 2013. In 2012, a total of \$7,800 was awarded to Hillsborough Organizations through 12 different grants.

**Committeeman Suraci**

Committeeman Suraci reminded residents and local businesses that it is the law to recycle under the State Department of Environmental Protection and Recycling Regulations. Committeeman Suraci added that the Township pays for the recycling service per household.

Committeeman Suraci stated that there is still some ongoing registration for winter and spring Recreation programs. The spring deadline is March 10, 2013.

Committeeman Suraci that there was a court case last year that challenged a 1997 legislation with regards to Business Personal Property Tax which affected the local telephone companies. Committeeman Suraci added that one of the telephone companies misinterpreted the law, to their benefit, resulting in a ruling in their favor.

Committeeman Suraci noted that in the past few weeks the case was being taken to the New Jersey Supreme Court who chose to not hear the appeal at this time. Committeeman Suraci stated that for certain telephone companies who self-determine if their company is providing "dial tone access" to less than 51% of residents and businesses in a municipality, they would then be waived from paying the Business Personal Property Tax.

Committeeman Suraci stated that the goal is to stop the telephone companies from removing themselves from the Business Personal Property Tax.

Committeeman Suraci asked for a resolution to be considered at a future Township Committee Meeting supporting that initiative.

**Deputy Mayor Tomson**

Deputy Mayor Tomson stated that Montgomery will be hosting a free rabies vaccination clinic; open to all New Jersey Residents, on January 26, 2013 from 9:00-10:30am for dogs and 10:30am-12:00pm for cats.

Deputy Mayor Tomson announced that three people under the age of 18 have passed away this year due to the flu. Deputy Mayor Tomson reminded residents that have not gotten their flu shots to please do so to protect yourself and others around you.

**Mayor DelCore**

Mayor DelCore congratulated President Obama on his second inauguration.

Mayor DelCore stated that the Buckeye Pipe Line Company has completed the permanent repair of the 206 pipeline. They have moved into the closure phase with backfilling the pipeline and cleaning up the construction area. The clean-up of the area will be ongoing for several weeks.

Mayor DelCore added that an estimated forty eight (48) barrels of gasoline escaped the pipeline due to the leak. The cause of the leak remains under investigation. Site environmental monitoring and remediation activities will continue to make sure they are protecting the public and preserving the environment. Impacted soils have been removed from the site and disposed of properly.

Mayor DelCore noted that Buckeye representatives have also met with the businesses impacted by the incident and Buckeye is proactively addressing and resolving their concerns.

Mayor DelCore announced that Buckeye will return in the spring to seed, mulch and landscape the areas that were impacted by the construction activities and restore the impacted area to its prior condition.

Mayor DelCore thanked Ken Bateman, Glenn McCreesh and Kathy Price for the opportunity to tour the Medical Coordination Center (MCC) at Somerset Medical Center last week. Committeeman Burchette, Administrator Ferrera, OEM Coordinator John Sheridan were also in attendance. The MCC covers Somerset, Hunterdon and Mercer counties.

Mayor DelCore announced that Commissioner Harold J. Wirths from the Department of Labor will be coming for a tour of some of the areas that were restored after Super Storm Sandy, by the resources secured through the Department of Labor and Somerset County.

## PROCLAMATIONS

### ***Proclamation honoring Ryan Wheaton for his selection to participate in the Junior Rank Academic All-American Football Game***

***WHEREAS***, Ryan Wheaton, a seventh grader at the Hillsborough Middle School, was selected to participate in the Junior Rank Academic All-American Football Game on January 4, 2013 in Carson, California; and

***WHEREAS***, the Junior Rank Organization is an academic and community service based league that seeks the best football talent across the country; and

***WHEREAS***, Ryan has achieved a 3.4 grade point average during the football season which qualified him for the honor; and

***WHEREAS***, Ryan volunteers in the community through working with his church at soup kitchens and Habitat for Humanity; and

***WHEREAS***, this was Ryan's first year playing football and he earned a spot as a starter for the Hillsborough Junior Raiders Varsity team; and

***WHEREAS***, Ryan was also chosen to play in the Youth Sport Trust (YST) All State Game in Bridgewater for the South Team; and

***WHEREAS***, at the Junior Rank Academic All-American game in January, Ryan played defensive line, special teams and ended up punting for the team who won the game 21-0.

***NOW, THEREFORE, BE IT PROCLAIMED*** that we, the members of the Hillsborough Township Committee, do hereby recognize and extend our sincere congratulations to Ryan Wheaton for being named to the Junior Rank Academic All-American Football team, an honor for both him and for those who have guided him, with best wishes for a bright future.

### ***Proclamation designating January as National Radon Action Month***

***WHEREAS***, Radon, a colorless, odorless, naturally occurring radioactive gas, is the second leading cause of lung cancer in the United States and the number one cause among non-smokers; and

***WHEREAS***, Radon causes as many as 500 lung cancer deaths annually in New Jersey; and

***WHEREAS***, one in 15 homes across the United States has an elevated Radon level; and

***WHEREAS***, any home may have high levels of Radon, even if other homes in the same neighborhood do not; and

***WHEREAS***, Radon testing is easy and inexpensive, and elevated levels of Radon can be effectively reduced at a minimal cost to the homeowner.

***NOW, THEREFORE, BE IT PROCLAIMED*** that we, the members of the Hillsborough Township Committee, in conjunction with the United States Environmental Protection Agency do hereby declare January as Radon Action Month.

***BE IT FURTHER PROCLAIMED*** that we, the Township Committee encourage all Hillsborough residents to test their homes for Radon, mitigate elevated levels of Radon if they exist, and build new home with Radon-resistant materials and features.

## PRESENTATIONS

### ***Presentation of check for \$1000.00 by Reckitt Benckiser to the Hillsborough Food Pantry***

Mayor DelCore thanked Reckitt Benckiser on behalf of Hillsborough Township and those who are served by the Hillsborough Food Pantry for their monetary donation.

Reckitt Benckiser added that they appreciate being given the opportunity to help the community in anyway and this is their way of giving back.

### ***Presentation of a Historic Map of Hillsborough – Joanne Bullock, Jennifer Smith and Janice Van der Veer on behalf of their late parents***

Mayor DelCore thanked the family for sharing their piece of Hillsborough History. Mayor DelCore stated that the Township is looking forward to having it proudly on display at the Municipal Complex.

The three sisters donated the map in honor of their parents. They explained that this specific map dates back to before the Civil War.

## APPOINTMENTS

### ***Mayoral Appointment of John Shockley, Seat #5 and Matthew Mingle, Alternate #2 to the Historic Preservation Commission***

## NEW BUSINESS

*None at this time*

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

*None at this time*

## PUBLIC HEARINGS

*None at this time*

## INTRODUCTION OF NEW ORDINANCES

### **2013-02 AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DEED OF DEDICATION FOR A PORTION OF BLOCK 204.04, LOT 26, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY.**

**WHEREAS**, the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, wishes to accept a Deed of Dedication, dated December 17, 2012 for a portion of Block 204.04, Lot 26, as shown on the Township of Hillsborough Tax Map, conveyed unto the Township by Bryan Michael Loniewski and Donna Dawn Loniewski; and

**WHEREAS**, the reason of this conveyance is for right-of-way purposes pursuant to the grant by the Township of Hillsborough Planning Board on January 5, 2012, Application #11-PB-08-MJV, of Major Subdivision; and

**WHEREAS**, the Township Attorney for the Township of Hillsborough reviewed the above mentioned Deed and finds it acceptable in all respects.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it hereby authorizes acceptance of the attached Deed of Dedication.

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

Mayor DelCore stated that this ordinance allows the Township to accept a parcel of land as a required condition of the planning board approval process.

Mayor DelCore added that local land and building law only allows a municipality to accept land or interests in land through the adoption of an ordinance. This has been reviewed and found acceptable by the Township Attorney.

Committeewoman McCauley moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on February 26, 2013 at 7:30 p.m. Said motion was seconded by Deputy Mayor Tomson and unanimously approved upon call of the roll.

**2013-03 AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DEED OF DEDICATION FOR A PORTION OF LOT 73.01, BLOCK 171, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY.**

**WHEREAS**, the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, wishes to accept a Deed of Dedication for a portion of Lot 73.01 in Block 171, as shown on the Township of Hillsborough Tax Map, conveyed unto the Township by Joseph Markowitz and Mary-Rose Markowitz; and

**WHEREAS**, this conveyance is required pursuant to the grant by the Township of Hillsborough Planning Board on January 10, 2013, for Minor Subdivision on Application #12-PB-08-MRV; and

**WHEREAS**, the Township Attorney for the Township of Hillsborough reviewed the above mentioned Deed and finds it acceptable in all respects.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it hereby authorizes acceptance of the attached Deed of Dedication.

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

Mayor DelCore stated that this ordinance also allows the Township to accept a parcel of land as a required condition of the planning board approval process.

Mayor DelCore added that local land and building law only allows a municipality to accept land or interests in land through the adoption of an ordinance. This has been reviewed and found acceptable by the Township Attorney.

Committeeman Burchette moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on February 26, 2013 at 7:30 p.m. Said motion was seconded by Committeewoman McCauley and unanimously approved upon call of the roll.

**2013-04 AN ORDINANCE AMENDING CHAPTER 188 (DEVELOPMENT REGULATIONS), ARTICLE I (TITLE; PURPOSE; DEFINITIONS) OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO ADD A DEFINITION OF "HEALTH CLUB/FITNESS CENTER" IN SECTION 188-3 AND ALSO AMENDING ARTICLE V (DISTRICTS AND STANDARDS) IN ORDER TO PERMIT HEALTH CLUBS/FITNESS CENTERS IN THE C-1 DISTRICT AS CONTAINED IN SECTION 188-100**

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

**Section 1.** Amend Chapter 188 of the Code of the Township of Hillsborough by revising Section 3 to include the following definition:

HEALTH CLUB/FITNESS CENTER- An establishment that provides exercise facilities, including, but not limited to, running, jogging, aerobics, weight lifting, court sports and swimming, as well as locker rooms, showers, massage rooms, saunas and related accessory uses, including the sale of nutritional snacks and drinks, clothing and equipment.

**Section 2.** Amend Chapter 188 of the Code of the Township of Hillsborough by revising Section 100 B to include the following:

(9) Health club/fitness center

**Section 3.** Severability. If any provisions of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable there from.

**Section 4.** Effective Date. This ordinance shall take effect immediately upon passage and publication according to law.

Mayor DelCore stated that the C-1, Retail Commercial Zone District, currently permits tennis courts, gymnasiums and swimming pools which represent active recreation uses not necessarily aligned with typical health and fitness clubs.

Mayor DelCore added that these permitted uses date back several decades when this zone was established. A number of pre-existing and newly created zones (I-1, I-2, I-3, LI, GI, TECD and GA) address indoor recreation, which has included health and fitness facilities. These are more appropriate uses in light of the current economic and real estate marketplace.

Deputy Mayor Tomson moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on February 26, 2013 at 7:30 p.m. Said motion was seconded by Committeeman Burchette and unanimously approved upon call of the roll.

**2013-05 AN ORDINANCE AMENDING ARTICLE III, TITLED "MUNICIPAL PROSECUTOR", OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, BY AMENDING SECTIONS 23-13, 23-14, 23-15, 23-16 AND 23-17 TO DELETE FIRST ASSISTANT MUNICIPAL PROSECUTOR AND INSERTING DRIVING WHILE INTOXICATED SPECIAL PROSECUTOR, AND ADDING A NEW SECTION 23-19, TITLED "SHARED MUNICIPAL COURT", AND ARTICLE IV, TITLED "MUNICIPAL PUBLIC DEFENDER", BY ADDING A NEW SECTION 23-26, ALSO TITLED "SHARED MUNICIPAL COURT."**

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

Section 1. Article III, titled "Municipal Prosecutor", of the Code of the Township of Hillsborough, Sections 23-13, 23-14, 23-15, 23-16 and 23-17 are amended to delete First Assistant Municipal Prosecutor and insert Driving While intoxicated Special Prosecutor.

Section 2. Article III, titled "Municipal Prosecutor", of the Code of the Township of Hillsborough is amended to add a new section, Section 23-19, titled "Shared Municipal Court":

§23-19. Shared Municipal Court

In the event that the Township enters into or has entered into Shared Services Agreements for a Shared Municipal Court pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., or other such similar law, the Township Municipal Prosecutor and any other Prosecutors shall also prosecute any and all matters for all governmental entities that are part of the Shared Municipal Court, including all first appearances for each of the governmental entities that are part of the Shared Municipal Court.

Section 3. Article IV, titled "Municipal Public Defender", of the Code of the Township of Hillsborough is amended to add a new section, Section 23-26, titled "Shared Municipal Court":

§23-26. Shared Municipal Court

In the event that the Township enters into or has entered into Shared Services Agreements for a

Shared Municipal Court pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., or other such similar law, the Township Municipal Public Defender and any other Public Defenders shall also defend any and all matters for all governmental entities that are part of the Shared Municipal Court, including all first appearances for each of the governmental entities that are part of the Shared Municipal Court, as are assigned to the Municipal Public Defender.

Section 4. Severability. Should any provision of this Ordinance be determined invalid by a court or administrative tribunal of competent jurisdiction, such determination shall not affect the remaining provisions.

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

Mayor DelCore stated that this Ordinance authorizes an amendment to Article III, titled "Municipal Prosecutor", by adding a new Section 23-19, titled "Shared Municipal Court", and Article IV, titled "Municipal Public Defender", by adding a new Section 23-26, titled "Shared Municipal Court."

Mayor DelCore added that this amendment further clarifies the responsibilities of the Township's Municipal Prosecutor and any other Prosecutors in that they shall also prosecute any and all matters for all governmental entities that are part of the Shared Municipal Court, including all first appearances that are part of the Shared Municipal Court.

Deputy Mayor Tomson moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on February 26, 2013 at 7:30 p.m. Said motion was seconded by Committeewoman McCauley and unanimously approved upon call of the roll.

**2013-06 AN ORDINANCE AMENDING CHAPTER 77, TITLED "OPEN SPACE TRUST FUND AND ADVISORY COMMITTEE", SECTION "77-6 A.", TITLED "APPOINTMENT; MEMBERSHIP; TERM; COMPENSATION", OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, TO INCREASE THE NUMBER OF MEMBERS ON THE OPEN SPACE ADVISORY COMMITTEE FROM SEVEN (7) TO NINE (9) MEMBERS AND AMENDING SECTION "77-6 A. (2) TO INCREASE THE NUMBER OF CITIZENS OF THE TOWNSHIP OF HILLSBOROUGH FROM SIX (6) TO EIGHT (8) MEMBERS**

**WHEREAS**, it is the purpose of this Ordinance to amend Chapter 77, titled "Open Space Trust Fund and Advisory Committee", Section "77-6 A.", titled "Appointment; membership; term; compensation" to increase the number of members on the Open Space Advisory Committee from seven (7) to nine (9) members; and

**WHEREAS**, it is the further purpose of this Ordinance to amend Chapter 77, titled "Open Space Trust Fund and Advisory Committee", Section "77-6 A.(2)", titled "Appointment; membership; term; compensation" to increase the number of citizens of the Township of Hillsborough as members on the Open Space Advisory Committee from six (6) to eight (8) members.

**NOW, THEREFORE, BE IT ORDAINED** by the Township of Hillsborough, Somerset County, New Jersey, that Chapter 77, titled "Open Space Trust Fund and Advisory Committee", Section "77-6", titled "Appointment; membership; term; compensation", of the Code of the Township of Hillsborough, be amended as follows:

- 1.) Section 77-6 A. shall increase the number of members of the Open Space Advisory Committee from seven (7) to nine (9) members.
- 2.) Section 77-6 A. (2) shall increase the number of citizens of the Township of Hillsborough on the Open Space Advisory Committee from six (6) to eight (8) members.

That this Ordinance shall take effect upon final adoption and publication according to law.

Mayor DelCore stated that this ordinance increases the number of regular members on the Historic Preservation Commission from 7 to 9.

Committeeman Burchette moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on February 26, 2013 at 7:30 p.m. Said motion was seconded by Deputy Mayor Tomson and unanimously approved upon call of the roll.

### CONSIDERATIONS

- 1. RESOLUTION AUTHORIZING THE EXECUTION OF A “NON FAIR AND OPEN” CONTRACT WITH LARIMORE ASSOCIATES FOR MAINTENANCE OF POLICE DEPARTMENT SOFTWARE, AS RECOMMENDED BY THE CHIEF OF POLICE, IN AN AMOUNT NOT TO EXCEED \$19,116.00 AND FOR THE ANNUAL COST OF THIRD PARTY SOFTWARE MAINTENANCE, IN AN AMOUNT NOT TO EXCEED \$2,191.00, FOR A TOTAL NOT TO EXCEED \$21,307.00**

**WHEREAS**, there exists a need for maintenance of software in the Police Department for the year 2013; and

**WHEREAS**, Larimore Associates provided software maintenance in the Police Department in 2012; and

**WHEREAS**, the Township Committee has decided to award a “Non Fair and Open” contract to Larimore Associates to perform maintenance of Police Department software in an amount not to exceed \$19,116.00 for 2013 and for the annual cost of third party software maintenance, in an amount not to exceed \$2,191.00, for a total not to exceed \$21,307.00, pursuant to their proposal dated January 9, 2013 and the recommendation of the Police Chief; and

**WHEREAS**, the amount of the contract is below the Township of Hillsborough’s bid threshold of \$36,000 and is therefore not required to publicly bid for this service (N.J.S.A. 40A:11-3 and 11-9); and

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

**WHEREAS**, Larimore Associates submitted a Political Contribution Disclosure form.

**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 action of the Township Clerk to authorize and execute the agreement with Larimore Associates for maintenance of Police Department software.
2. This contract is awarded without competitive bidding as a “Non Fair & Open Contract”.

The Mayor and Township Clerk are hereby authorized to execute the Township’s standard form of agreement for “Goods and Services” and any modifications thereto and related constituent documents as may be found acceptable by the Township Committee.

Mayor DelCore stated that Larimore Associates provides the software for the Police Department’s computer system. This resolution authorizes the firm’s annual maintenance fee for this software.

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

- 2. RESOLUTION AUTHORIZING A STIPEND TO BE PAID TO BUCK SIXT FOR SERVING AS THE TOWNSHIP OF HILLSBOROUGH’S CLEAN COMMUNITIES COORDINATOR, IN THE AMOUNT OF \$3,481.61**

**WHEREAS**, during the past twelve (12) years, Buck Sixt, Director of Public Works, has served as the Township's Clean Communities Coordinator; and

**WHEREAS**, the 2012 Clean Communities Grant provides that up to 5% or not to exceed \$3,481.61 may be used for administrative costs; and

**WHEREAS**, the Township Committee believes that compensation for the function of Clean Communities Coordinator should be provided in the form of a stipend.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that a stipend of \$3,481.61 should be provided to Buck Sixt in recognition of his responsibilities as the Township's Clean Communities Coordinator

Mayor DelCore stated that Mr. Sixt has been performing the duties of the Clean Communities Coordinator for the past 12 years. This stipend is paid for through the grant funds received.

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

### **3. RESOLUTION AUTHORIZING THE TAX ASSESSOR AND THE TOWNSHIP ATTORNEY TO RESPOND TO TAX APPEALS**

**WHEREAS**, from time to time there is and has been a need for the Township Tax Assessor, with the assistance of the Township Attorney, in order to revise and correct assessments, to file tax appeals and settle those appeals at the County Tax Board; and

**WHEREAS**, the Township Committee has consulted with the Township Attorney, and has reviewed the recommendations of the Township Tax Assessor, that the filing of appeals and settlements for the 2013 tax year with the County Tax Board to revise and correct assessments, are in the best interests of the Township of Hillsborough; and

**WHEREAS**, the Township Committee has authorized the filing of tax appeals and the settlement of those appeals at the County Tax Board by the Township Attorney in consultation with the Township Tax Assessor.

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

1. The Township Attorney is hereby authorized to file petitions of tax appeals for the 2013 tax year with the Somerset County Tax Board, and settle those appeals, all in consultation with the Township Tax Assessor

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

Upon motion by Committeeman Suraci seconded by Committeewoman McCauley, the aforesaid resolution was unanimously approved upon call of the roll.

### **4. RESOLUTION AWARDED CENTRAL JERSEY HOUSING RESOURCE CENTER A CONTRACT FOR 2013 AFFORDABLE HOUSING AGENCY SERVICES, EFFECTIVE JANUARY 1, 2013 THROUGH DECEMBER 31, 2013 AND AUTHORIZING THE MAYOR AND THE TOWNSHIP CLERK TO ENTER INTO AN AGREEMENT WITH CJHRC FOR AFFORDABLE HOUSING RENTAL UNITS AT NEW CENTER GREENS, CLAREMONT HILLS AND CRESTMONT (HILLS) VILLAGE AND THE RESALE UNITS AT HEARTHSTONE AT HILLSBOROUGH, IN AN AMOUNT NOT TO EXCEED \$13,900.00**

**WHEREAS**, the Central Jersey Housing Resource Center (CJHRC) has submitted the following Affordable Housing Agency Proposals:

the 2013 Affordable Housing Independent Agency Agreement for the administration of the affordable housing rental units at New Center Greens, Claremont Hills and Crestmont (Hills) Village and the resale units at Hearthstone at Hillsborough; and

**WHEREAS**, this agreement will be effective January 1, 2013 through December 31, 2013; and

**WHEREAS**, the Township Planner recommended that the Township approve said agreements as to ensure continued compliance with the applicable affordable housing requirements; 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 that the Mayor and the Township Clerk are hereby authorized to enter into an Affordable Housing Independent Agency Agreement for New Center Greens, Claremont Hills, Crestmont (Hills) Village and Hearthstone at Hillsborough, with CJHRC not to exceed \$13,900.00

Mayor DelCore stated that this is a professional services agreement for management services for the units at Hearthstone at Hillsborough, Claremont Hills, Crestmont (Hills) Village and New Center Greens for 2013. Central Jersey Housing Resource Center provided these services in the past.

Mayor DelCore added that this is a highly technical service provided and it is recommended by our Township Planner that CJHRC again provide these administrative services. These costs are paid from the Affordable Housing Trust Account, not tax dollars.

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

**5. RESOLUTION AUTHORIZING APPOINTMENTS TO THE LOCAL EMERGENCY PLANNING COMMITTEE FOR 2013**

**WHEREAS**, the Hillsborough Township, Office of Emergency Management, has recommended the appointment of the following individuals to the Local Emergency Planning Committee for 2013:

OEM Coordinator	John Sheridan	
Deputy Coordinator	Sean Carolan	
Chief of Police	Paul Kaminsky	Police
Liaison	Lt. P. W. Geary	Township Fire Official
	Christopher Weniger	Township Emergency Medical Service
Chief C. David Gwin		
Fire Chief, Unit 36	Eric DeCicco	
Fire Chief, Unit 37	Bruce Vatter	
Fire Chief, Unit 38	Christian Fulmino	
Fire Chief, Unit 48	John Lazorchak	
Township Fire Commissioner	Matthew DeCicco	
Township Engineer	Tom Belanger	
Social Services	Tamas Ormosi	
Health Department	Glen Belnay	
Environmental/SARA III Liaison	Gordon Sammis	

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey authorizes that the appointments to the Local Emergency Planning Committee are hereby approved.

Mayor DelCore stated that each year the Office of Emergency Management Coordinator recommends to the Township Committee those emergency response personnel to be on the Local Emergency Planning Committee. Unfortunately, we have seen an increase in the activity of this group and appreciate their dedication to our residents in times of Township Emergency. This resolution confirms those appointments.

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

**6. APPOINTMENT OF SEAN CAROLAN, NICK SPECIALE, AND STEVEN ECKERT TO ONE (1) YEAR TERMS AS EMERGENCY MANAGEMENT DEPUTY COORDINATORS EFFECTIVE JANUARY 1, 2013 THROUGH DECEMBER 31, 2013**

**WHEREAS**, the Township Office of Emergency Management Coordinator recommends the appointment of Sean Carolan, Nick Speciale, and Steven Eckert to one (1) year terms as Deputy Coordinators effective January 1, 2013 through December 31, 2013; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that Sean Carolan, Nick Speciale, and Steven Eckert are appointed to one (1) year terms as Emergency Management Deputy Coordinators effective January 1, 2013 through December 31, 2013.

Mayor DelCore stated that the Township is thankful for all of the members of the Office of Emergency Management Team and again unfortunately have had to rely on them more and more with the severe storms Hillsborough has had to endure.

Mayor DelCore added that this Township Committee is happy to appoint the above mentioned individuals as Emergency Management Deputy Coordinators.

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

**7. RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR AN EMPLOYEE ASSISTANCE PROGRAM (EAP) WITH PRINCETON HEALTHCARE SYSTEMS FOR THE PERIOD OF FEBRUARY 1, 2013 THROUGH JANUARY 31, 2014, NOT TO EXCEED \$3,614.00**

**WHEREAS**, the Township of Hillsborough solicited quotes for an Employee Assistance Program (EAP) and four (4) quotes were received as follows:

Princeton HealthCare	\$1.65 per employee per month = \$19.75	
	per employee per year	Yearly Total \$3,614.00
Charles Nechtem	\$1.60 per employee per month = \$19.20	
	per employee per year	Yearly Total \$3,514.00
ComPsych	\$1.81 per employee per month = \$21.72	
	per employee per year	Yearly Total \$3,975.00
Ceridian Health & Productivity	\$2.57 per employee per month = \$30.84	
	per employee per year	Yearly Total \$5,643.00

**WHEREAS**, the Township currently contracts with Princeton HealthCare for an Employee Assistance Program (EAP); and

**WHEREAS**, Social Services Director, Tamas Ormosi has recommended that the Township renew its contract with Princeton HealthCare; and

**WHEREAS**, the cost to the Township will not exceed \$3,614.00 for the period February 1, 2013 through January 31, 2014 based on 183 employees; 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 as follows

1. An award of contract for an Employee Assistance Program (EAP) is hereby made to Princeton HealthCare, in an amount not to exceed \$3,614.00 for the period from February 1, 2013 through January 31, 2014.

The Mayor and Township Clerk are hereby authorized to execute the Township standard form of agreement, for services and any modifications thereto and related constituent documents as may be found acceptable by the Township Committee.

Mayor DelCore stated that quotes were obtained from 4 providers. The Township's Director of Social Services has recommended Princeton HealthCare Systems, who was the provider last year for the Employee Assistance Program. This contract is for the for the 2013 contract period.

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

**8. RESOLUTION AUTHORIZING THE APPOINTMENT OF CHRIS MICHAELS AS PART TIME WEB ADMINISTRATOR/DESKTOP SUPPORT ASSISTANT, AT AN HOURLY RATE OF \$20.00 PER HOUR, NOT TO EXCEED 12 HOURS PER WEEK, EFFECTIVE JANUARY 28, 2013**

**WHEREAS**, there is the need for a part time Web Administrator/Desktop Support Assistant; and

**WHEREAS**, the Director of Technology recommends the appointment of Chris Michaels to the position of part time Web Administrator/Desktop Support Assistant at an hourly rate of \$20.00 per hour, not to exceed 12 hours per week.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the recommendation of the Director of Technology is hereby accepted and approved, and Chris Michaels be appointed to the position of part time Web Administrator/Desktop Support Assistant at an hourly rate of \$20.00 per hour, not to exceed 12 hours per week.

Mayor DelCore stated that the Township's IT budget has a part time web administrator position that is currently filled, but we have been notified that the person in that position it no longer able to work the full 29 hours. This addition is only to fulfill those remaining budgeted hours and this person will be on site which will assist when desktop issues arise.

Mayor DelCore added that as we continue to move toward more user friendly technology for our residents filling this position will aide in that process. Again, it is important to note that this is not a new position, but one already in our budget.

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

**9. RESOLUTION INCREASING THE 2013 TEMPORARY EMERGENCY BUDGET**

**WHEREAS**, there is a need to increase the 2013 Temporary Emergency Budget for unforeseen expenditures prior to the adoption of the 2013 Budget; and

**WHEREAS**, the amount of said increase is not to exceed \$36,340.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough that the following increase to the appropriation be made and that a certified copy of this Resolution be given to the Chief Finance Officer for her records:

State and Federal Grants

\$ 36,340.00

SUBTOTAL APPROPRIATIONS: OUTSIDE CAP	<u>\$ 36,340.00</u>
TOTAL APPROPRIATIONS	<u>\$ 36,340.00</u>

Mayor DelCore stated that until the budget is finalized, the temporary budget needs to be extended. The next resolution will be awarding the 2013 Municipal Alliance contracts. In order to do that, the Temporary Budget must be amended to reflect the grant funds which will be appropriated in the 2013 budget.

Mayor DelCore added that the grant is made up of \$29,072 from the County of Somerset and matching funds of \$7,268 from the Township's budget.

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

**10. RESOLUTION AWARDING 2013 CONTRACTS FOR HILLSBOROUGH – MILLSTONE MUNICIPAL ALLIANCE SERVICES TO VARIOUS INDIVIDUALS**

**WHEREAS**, the Hillsborough-Millstone Municipal Alliance presents various programs and activities throughout the year; and

**WHEREAS**, there is a need to enter into service contracts with various vendors all below the thresholds of the Local Public Contracts Law and the Local Unit Pay-to-Play Law; and

**WHEREAS**, Ellen Stoddard shall provide services consisting of presenting BABES educational programs to all 3<sup>rd</sup> graders in the Hillsborough Township School System, in an amount not to exceed \$4,580; and

**WHEREAS**, Jane Fidacaro shall provide services consisting of assisting in the presentation of the BABES programs, in an amount not to exceed \$2,205; and

**WHEREAS**, Lisa Gulla shall provide services consisting of coordinate fiscal activities and serve as liaison to the Somerset County Department of Human Services, in an amount not to exceed \$2,500; and

**WHEREAS**, Jennifer Harmsen shall provide STAR program services, in an amount not to exceed \$500; and

**WHEREAS**, Melinda Maggio shall provide services consisting of coordinating Life Skills services, in an amount not to exceed \$6,720; and

**WHEREAS**, Gil Pilarte shall provide services consisting of providing student assistance programs, in an amount not to exceed \$1,000; and

**WHEREAS**, Rebecca Balauger shall provide services consisting of providing student assistance programs, in an amount not to exceed \$1,000; and

**WHEREAS**, Anna Mahler shall provide services consisting of providing Student Leadership Corps program, in an amount not to exceed \$1,250; and

**WHEREAS**, Toby Casagrande shall provide services consisting of providing Student Leadership Corps program, in an amount not to exceed \$1,250; and

**WHEREAS**, Amelia Carella shall provide PRIDE program services, in an amount not to exceed \$1,250; and

**WHEREAS**, Larissa McCann shall provide iRUN program services, in an amount not to exceed \$1,250; and

**WHEREAS**, Alexis Rizzuto shall provide iRUN program services, in an amount not to exceed \$1,500; and

**WHEREAS**, Rozlyn Adams shall provide iRUN program services, in an amount not to exceed \$2,000; and

**WHEREAS**, Kathleen Morris shall provide iRUN program services, in an amount not to exceed \$1,500; and

**WHEREAS**, Anna Maria Lauretana Pino shall provide iRUN program services, in an amount not to exceed \$1,000; and

**WHEREAS**, Megan Pierfy shall provide REBEL – MS program services, in an amount not to exceed \$1,250; and

**WHEREAS**, John Morello shall provide DIRT - HHS program services, in an amount not to exceed \$3,000; and

**WHEREAS**, Ryan’s Story Presentation shall be presented, in an amount not to exceed \$1,585; and

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

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

2. The Mayor and Acting Township Clerk are hereby authorized to execute the Township standard form of agreement, for services and any modifications thereto and related constituent documents as may be found acceptable by the Township Committee.
3. A notice of this action shall be printed in the official Township newspaper.

This resolution shall take effect immediately.

Mayor DelCore stated that these contract awards through the Hillsborough-Millstone Municipal Alliance allows for various drug, alcohol, life skills and prevention programs.

Mayor DelCore added that this resolution approves 17 individual contracts for the people who coordinate the numerous drug and alcohol prevention programs and help make this program such a success. These individuals are recommended by the members of the Municipal Alliance.

Mayor DelCore noted that this is a very successful long term program here in Hillsborough and we are very grateful to Lisa Gulla and the District Life skills Coordinator Minda Maggio and all the members of the Municipal Alliance for their dedication and the continued success of these programs.

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

**11. RESOLUTION APPROVING 2012 APPROPRIATION RESERVE TRANSFERS TO MISCELLANEOUS TRUST**

**WHEREAS**, N.J.S.A. 40A:4-58 allows for appropriation transfers during the first 3 months of a budget fiscal year where there is a need for these transfers; and

**WHEREAS**, there is a need to transfer Cultural Arts, Sick & Vacation Pay and Snow Removal budget balances to the Miscellaneous Trust for use in future years.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Hillsborough that the Chief Finance Officer be authorized to make the transfer from following appropriations in the 2012 Reserve Budget to the Miscellaneous Trust Fund:

FROM:	Cultural Arts		
	Other Expenses	2-01-20-724-020	\$ 8,039.16
	Sick & Vacation Pay	2-01-30-850-012	\$ 135.38
	Snow Removal		
	Salaries and Wages	2-01-26-769-010	\$24,178.24
	Other Expenses	2-01-26-769-020	<u>29,202.18</u>
	<b>Total</b>		<b><u>\$61,554.96</u></b>
TO:	Cultural Arts Reserve	T-12-56-860-018	\$ 8,039.16
	Sick & Vacation Reserve	T-12-56-860-060	\$ 135.38
	Snow Removal Reserve	T-12-56-860-061	<u>\$53,380.42</u>

**Total** **\$61,554.96**

Mayor DelCore stated that there is an appropriation reserve transfer from the 2012 budget to reserve funds for future use that were not expended in 2012. This resolution authorizes the necessary transfers.

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

**12. RESOLUTION TO RENEW DH HILLSBOROUGH, LLC, LIQUOR LICENSE FOR THE 2012-2013 LICENSE TERM**

**WHEREAS**, the Hillsborough Township Police Department has conducted a thorough investigation of DH Hillsborough, LLC, to insure that criminally disqualified and other unfit persons do not acquire or hold direct interests in the retail alcoholic beverage industry; and

**WHEREAS**, the Township Clerk has certified that DH Hillsborough, LLC, has posted the required municipal fee of \$2,500 for a Plenary License together with the State fee of \$200; and

**WHEREAS**, the Township Clerk has further certified that DH Hillsborough, LLC, has submitted the appropriate and complete renewal application, and has been granted a New Jersey State Tax Clearance Certificate as required by law; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough that Plenary Retail Consumption License for DH Hillsborough, LLC, is hereby renewed to for the year 2012-2013 effective January 22, 2013.

Mayor DelCore stated that the holder of the Township liquor license had only recently filed the necessary paperwork for this liquor license.

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

**13. RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO COMMUNITY VISITING NURSE ASSOCIATION FOR PUBLIC HEALTH NURSING SERVICES TO THE RESIDENTS OF THE TOWNSHIP OF HILLSBOROUGH**

**WHEREAS**, the Township Health Officer has determined that there is a need for nursing services as it is required by the New Jersey Department of Health; and

**WHEREAS**, said nursing services include required activities such as the child health clinic, a wellness program and a flu vaccination clinic; and

**WHEREAS**, the Township Health Officer met with the staff of Community Visiting Nurse Association and recommends the award of contract be made to them in the amount not to exceed \$13,639.00 pursuant to their proposal dated January 1, 2013, which contract is to end on December 31, 2013; and

**WHEREAS**, additional nursing services, in addition to those contained in the January 1, 2013 proposal, are available to the Township on an as needed bases at the direction of the Township Health Officer, at the rate of \$45.00 per hour; and

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

**WHEREAS**, the Township Attorney has reviewed the proposal and finds it to be acceptable.

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

1. The Township Health Officer and Administrator/Clerk are hereby authorized to execute an agreement with Community Visiting Nurse Association to provide public health nursing services to the residents of the Township of Hillsborough in the amount of \$13,639.00 and additional nursing services on an as needed basis, at the rate of \$45.00 per hour.
2. A notice of this contract award shall appear once in the official newspaper.  
This resolution shall take effect immediately.

Mayor DelCore stated that the Visiting Nurse contract, which is recommended by the Board of Health, enables the Township to meet the State mandated requirements of the New Jersey Public Health Practice Standards.

Mayor DelCore added that this contract is for \$13,639.00 for the year, which represents a significant savings versus hiring a full-time certified public nurse at an approximate salary of \$75,000 plus benefits.

Mayor DelCore added that Hillsborough has had a long and successful relationship with the Community Visiting Nurse Association in Somerville. They are particularly helpful in providing a well-staffed professional nursing pool which helps out with our many vaccination clinics throughout the year. As they did last year, they will again assume the lead role in tracking the Medicare Part B reimbursement due to Hillsborough for the influenza vaccinations.

Mayor DelCore stated that this contract also provides for Child Health Clinical services which is shared through inter-local governmental agreements with Branchburg and Montgomery Townships, which we will also be considering this evening. This represents a very significant to our taxpayers. This is consistent with the Governor's initiative of shared services and realizing the efficiencies associated with shared services.

Upon motion by Committeewoman McCauley seconded by Committeeman Suraci, the aforesaid resolution was unanimously approved upon call of the roll.

#### **14. RESOLUTION AUTHORIZING THE ZONING OFFICER TO WAIVE ZONING PERMIT FEES RELATED TO SUPER STORM SANDY REPAIRS**

**WHEREAS**, an emergency existed as a result Super Storm Sandy 2012 which caused damage to many homes and businesses within Hillsborough Township and;

**WHEREAS**; this damage will have to be repaired and in certain circumstances will require zoning permits; and

**WHEREAS**, the Township Committee does not want to burden those residents and business owners impacted by Super Storm Sandy with the costs of zoning permit fees; and

**WHEREAS**, zoning permit fees associated with the repairs resulting from damage caused by Super Storm Sandy that were issued during the period of October 29, 2012 and January 22, 2013 will be refunded by Hillsborough Township; and

**WHEREAS**, zoning permit fees associated with the repairs resulting from damage caused by Super Storm Sandy shall be waived for the period of October 29, 2012 through February 28, 2013; and

**WHEREAS**, the fees waived shall only be Hillsborough Township fees.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the zoning permit fees associated with repairs necessitated by the damage caused by Hurricane Sandy are hereby waived, for the period of October 29, 2012 through February 28, 2013.

Mayor DelCore stated that in an effort to further assist our residents impacted by Super-storm Sandy and the damage caused by the storm, zoning permit fees associated with those repairs shall be waived.

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

**15. RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE HILLSBOROUGH TOWNSHIP HEALTH DEPARTMENT AND THE MONTGOMERY TOWNSHIP HEALTH DEPARTMENT; AND THE HILLSBOROUGH TOWNSHIP HEALTH DEPARTMENT AND THE BRANCHBURG TOWNSHIP HEALTH DEPARTMENT FOR THE PROVISION OF CHILD HEALTH CONFERENCE SERVICES**

**WHEREAS**, the Hillsborough Township Health Department and the Montgomery Township Health Department wish to enter into an Agreement for the provision of Child Health Conference (“CHC”) services; and

**WHEREAS**, the Hillsborough Township Health Department and the Branchburg Township Health Department wish to enter into an Agreement for the provision of Child Health Conference (“CHC”) services; and

**WHEREAS**, the CHC services will run from January 1, 2013 through December 31, 2014 and a fee for CHC services will be based on a cost of approximately \$50.00 per child at an average of 1 visit per month.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough that the Mayor and the Township Clerk are hereby authorized to sign the attached inter-local services agreements

Mayor DelCore stated that long before shared services became a buzz word, Hillsborough and Branchburg and Hillsborough and Montgomery have been sharing public health services. This resolution continues that agreement. Montgomery and Branchburg pay a flat rate per child which covers the expense to provide the services. Eligible children are infants through the age of 18 and are residents of either Montgomery or Branchburg, who do not have any other health insurance.

Mayor DelCore added that this is just another example of sharing resources, therefore reducing costs, though difficult to determine exact savings. Millstone faces similar health issues as Hillsborough and as such this proactive approach to provide the necessary oversight is an intangible benefit to our community. For example should there be in an issue in Millstone it could have an impact on Hillsborough’s border and without proper monitoring – it could lead to a health safety risk for our residents.

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

**16. RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO THE WOMEN’S HEALTH & COUNSELING CENTER FOR PUBLIC HEALTH SERVICES TO THE RESIDENTS OF THE TOWNSHIP OF HILLSBOROUGH**

**WHEREAS**, the Township Health Officer has determined that there is a need for public health services as it is required by the New Jersey Department of Health; and

**WHEREAS**, the Township Health Officer recommends a contract be awarded to the Women’s Health & Counseling Center in an amount not to exceed \$2,272.00 pursuant to their proposal dated October 16, 2012, with agreement ending on December 31, 2013; and

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

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

1. The Township Health Officer and Clerk are hereby authorized to execute an agreement with Women’s Health & Counseling Center to provide public health services to the residents of the Township of Hillsborough, in an amount not to exceed \$2,272.00. A notice of this contract award shall appear once in the official newspaper.

This resolution shall take effect immediately.

Mayor DelCore stated that the Women's Health & Counseling Center contract, also recommended by the Board of Health, will offer screening services. Again, this function would come under the Certified Public Nurse, and by instituting this contract we are still saving money versus having that position on staff.

Mayor DelCore added that these services are utilized and Hillsborough Township is paying the same amount as all others in Somerset County.

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

**17. RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN INTERLOCAL SERVICES PUBLIC HEALTH MUTUAL AID AGREEMENT WITH THE MUNICIPALITIES IN THE COUNTY OF SOMERSET AND THEIR RESPECTIVE BOARDS OF HEALTH**

**WHEREAS**, each Municipality in Somerset County and its respective Board of Health desires to formalize a mutual aid agreement for emergency public health services with the remaining Municipalities and respective Boards of Health upon reciprocal terms, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.; and

**WHEREAS**, public health services shall include, but not limited to, those services, personnel and equipment defined under the Public Health Practice Standards of Performance of Local Boards of Health in New Jersey.

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

1. Each party hereto agrees that upon an appropriate request for emergency public health assistance from the Health Officer of either party, the Health Officer of the other party shall provide such personnel and equipment as requested to the extent possible without endangering person or property within its respective municipality.
2. This emergency assistance of personnel and equipment shall be rendered without charge or expense to the municipality receiving the assistance. Each party hereby acknowledges that it shall be solely responsible for the provision of any and all wages, benefits and shall make no claim for reimbursement of damages, injuries or other expenses for aid rendered. The requesting municipality shall pay for any equipment or supplies, which must be purchased specifically for rendering aid.
3. It is anticipated that requests for mutual aid will be between and among adjoining municipalities.
4. This agreement shall have an initial term of one year, and shall be automatically renewed for additional and successive one-year terms, unless or until one of the parties hereto elects to terminate it by the adoption of a resolution and delivery of a copy of said resolution to the Clerk of the other municipality.
5. While on duty rendering assistance outside of their respective municipalities, to the extent permitted by law, personnel shall have the same powers, authority and immunities as that of the personnel of the municipality in which such assistance is being rendered.
6. This agreement shall become effective as to each of the above mentioned municipalities at such time as each municipality has adopted a resolution providing substantially the same terms and conditions as set forth in this agreement. The clerk of each municipality shall forward a copy of the municipal resolution authorizing the municipality to participate in the mutual aid agreement to all of the municipalities listed herein.
7. Each municipality represents that it has duly advised its insurance carrier of the terms and conditions of this agreement, and each municipality receiving assistance agrees to save, indemnify and hold harmless the other municipality, its agents, servants and employees from any damages, injury or claims arising out of the assistance rendered by the other municipality, its agents, servants and

employees, unless such damage, injury or claims are the result of gross negligence or intentional acts, errors or omissions of the municipality, its agents, servants and employees, providing the assistance.

The receiving participants shall file all necessary documents, applications, statements, verification forms, etc. as may be necessary pursuant to N.J.S.A. 54:4-8.76 et seq. of the "Regional Efficiency Aid Program Act" so that shared services credit can be obtained.

Mayor DelCore stated that the Health departments within Somerset county during the H1N1 (pandemic flu) immunization program of 2010 formed the greater public health partnership where 6 health department units within the county would work cooperatively together on various health issues.

Mayor DelCore added that this mutual aid agreement memorizes this cooperative working arrangement wherein each unit brings their expertise to be shared with the others.

Again, this is another fine example of shared services being utilized to ultimately save our taxpayer dollars.

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

**18. RESOLUTION ESTABLISHING THE ANNUAL SALARIES AND WAGES OF POLICE DEPARTMENT SUPERIOR OFFICERS**

**BE IT RESOLVED**, by the Township Committee of the Township of Hillsborough that the annual base salaries of the following employees listed below are authorized effective January 1, 2012 and January 1, 2013 as indicated.

<u>Name</u>	<u>Position</u>	<u>Salary</u>
Besser, Mark	Lieutenant	\$133,175 eff. 1/1/12 \$136,171 eff. 1/1/13
Geary, William	Lieutenant	\$133,175 eff. 1/1/12 \$136,171 eff. 1/1/13
Kaminsky, Paul A.	Chief of Police	\$150,851 eff. 1/1/12 \$154,245 eff. 1/1/13
Merkler, Paul	Captain	\$142,765 eff. 1/1/12 \$145,977 eff. 1/1/13
Mozgai, Francis	Lieutenant	\$133,175 eff. 1/1/12 \$136,171 eff. 1/1/13
Powell, Darren	Lieutenant	\$133,175 eff. 1/1/12 \$136,171 eff. 1/1/13

Mayor DelCore stated that the annual salaries and wages of the superior officers of the Police Department are in line with the recent PBA contract. Since these individuals are not covered by a collective bargaining agreement, their salaries must be established by resolution.

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

**CONSENT**

**1. RESOLUTION AUTHORIZING TUITION REIMBURSEMENT TO OFFICER CHRISTOPHER MCMINN FOR COMPLETION OF "HOMELAND SECURITY: CAPSTONE" AND "HOMELAND SECURITY: PREPAREDNESS" OFFERED THROUGH THOMAS EDISON**

**STATE COLLEGE, IN THE AMOUNT OF \$1,640.33, PURSUANT TO ARTICLE XVIII OF THE CURRENT PBA CONTRACT**

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

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

**WHEREAS**, Officer McMinn has successfully completed the “Homeland Security: Capstone and “Homeland Security: Preparedness” courses through Thomas Edison State College; and

**WHEREAS**, Officer McMinn has requested consideration under the Township’s Educational Assistance provisions; and

**WHEREAS**, the Chief of Police has requested favorable consideration of Officer McMinn’s request for financial reimbursement of seventy-five percent (75%) of the \$2,187.11 cost incurred for a total of \$1,640.33.

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

**2. RESOLUTION APPROVING THE REQUEST FROM ASSISTED LIVING (SOMERVILLE) FOR THE RELEASE OF CASH BOND IN AN AMOUNT OF \$6,598.52 AND RELEASE OF ENGINEERING INSPECTION FEES IN THE AMOUNT OF \$4,719.33 (BLOCK 163, LOT 21)**

**WHEREAS**, a request has been received from Assisted Living (Somerville) for the release of the cash bond retained to guarantee completion of site work (Block 163, Lot 21); and

**WHEREAS**, a request has been received from Assisted Living (Somerville) for the release of engineering inspection fees for Block 163, Lot 21; and

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

**WHEREAS**, the Assistant Township Engineer recommends that the Township Committee take action to release \$6,598.52 cash bond and release \$4,719.33 engineering inspection fees to Assisted Living (Somerville).

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

**3. RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO SIGN A DEED-RESTRICTED AFFORDABLE HOUSING PROPERTY WITH RESTRICTIONS ON RESALE AND REFINANCING**

**WHEREAS**, SERV Achievement Centers, Inc., is purchasing 22 Sherwood Close, Block 65, Lot 47, as shown on the Tax Map of the Township of Hillsborough (“Property”), to house Special Needs Tenants as defined in N.J.S.A. 30:11B-2; and

**WHEREAS**, the Property is included in the Township’s Affordable Housing Plan; and

**WHEREAS**, in order for the Property to qualify as affordable housing, the Property must be Deed-Restricted; and

**WHEREAS**, it is in the best interests of the residents of the Township of Hillsborough that SERV Achievement Centers, Inc., purchase the Property and Deed-Restrict the Property by entering into a “Deed-Restricted Affordable Housing Property with Restrictions on Resale and Refinancing” substantially in the form attached.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows;

1. That the Mayor and Clerk are authorized to sign the deed.
2. That this Resolution shall take effect immediately.

4. **RESOLUTION RATIFYING AND CONFIRMING THE POSTING FOR THE POSITION OF TECHNICAL ASSISTANT IN THE HILLSBOROUGH TOWNSHIP CONSTRUCTION DEPARTMENT**

**WHEREAS**, there exists a vacancy in the Construction Department for a Technical Assistant.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey hereby ratifies and confirms the posting for the position of Technical Assistant in the Construction Department.

5. **RESOLUTION AUTHORIZING BUCK SIXT, DIRECTOR OF PUBLIC WORKS, TO POST FOR THE TWO (2) PUBLIC WORK WORKERS I POSITIONS IN THE HILLSBOROUGH TOWNSHIP DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, there exist two (2) vacancies in the Department of Public Works for the position of Public Works Worker I; and

**WHEREAS**, the Director of Public Works has determined that these positions need to be filled as soon as possible and thereby requests authorization to post for the two (2) positions of Public Works Worker I.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it does hereby authorize the Director of Public Works to post for two (2) positions of Public Works Worker I.

6. **RESOLUTION AUTHORIZING THE TOWNSHIP CLERK TO ADVERTISE FOR BIDS FOR 2013 TUB GRINDING AND REMOVAL OF LARGE VEGETATIVE WASTE FROM THE HILLSBOROUGH TOWNSHIP AUTEN ROAD FACILITY**

**WHEREAS**, the Director of Public Works has determined there is a need for tub grinding and removal of large vegetative waste from the Hillsborough Township Auten Road Facility; and

**WHEREAS**, the Township Clerk is hereby authorized to solicit bids for 2013 Tub Grinding and Removal of Large Vegetative Waste from the Hillsborough Township Auten Road Facility.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Township Clerk is hereby authorized to advertise for bids for 2013 Tub Grinding and Removal of Large Vegetative Waste from the Hillsborough Township Auten Road Facility.

7. **RESOLUTION AUTHORIZING THE TRANSFER OF EARNED AMOUNTS, IN AN AMOUNT OF \$5,109.51, FROM THE SUBDIVISION AND SITE PLAN ENGINEERING TRUST ACCOUNTS TO THE TREASURER'S ACCOUNT**

**WHEREAS**, in accordance with the following summary of accrued Engineering charges related to various indicated projects, a total of \$5,109.51 should be transferred from Engineering inspection escrow accounts into the Treasurer's Account as indicated; and

**WHEREAS**, each of the project line items has been verified against the Treasurer's Office account records through January 16, 2013, to ensure that sufficient funds are available for these transfers of unanticipated revenues.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that a total of \$5,109.51 is to be transferred from the Engineering Escrow Accounts into the Treasurers Account.

<b>Client</b>	<b>Number</b>	<b>Transfer Amount</b>
CC @ Belle Mead	579	-509.62
Colonial Square at Belle Mead	323	-183.70
Cornerstone Professional Development	570	-391.10
Country Classics – 3C	331	-82.96
Country Classics – 3D	559	-441.84
Country Classics – 4B	589	-250.28
Duke Farms Foundation	564	-77.04
East Hill Partnership	349	-41.48
Gateway@Sunnymeade	472	-539.24
Hidden Forest Estates	372	-77.04
High Branch Land, Inc.	373	-628.33
Hillsborough Estates	539	-225.18
PLEABEAZIN	477	-371.42
Pat Richards, LLC	412	-38.52
Pleasant View Estates III	490	-143.62
Grand Total		\$-3,894.33

Upon motion by Committeeman Burchette, seconded by Committeeman Suraci, the consent agenda was unanimously approved upon call of the roll.

### CLAIMS LISTS

Mayor DelCore presented Claims Lists 2013-02.

Upon motion by Deputy Mayor Tomson, seconded by Committeewoman McCauley, Claims List 2013-01 was unanimously approved upon call of the roll.

### EXECUTIVE SESSION RESOLUTION

**WHEREAS**, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12 (b) (1-9), Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, the Township Committee is of the opinion that such circumstances exist.

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

1. The public shall be excluded from discussion of the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
  - a. *Contract Negotiations: Sanitary Sewer Extension Agreement  
GSA Depot and the County of Somerset*
  - b. *Lease Negotiation: Beekman Homestead Farm (Lots 26.01, 28.01, 29.01, 33 and 47 in Block 12) Property Negotiations: Lorisa Realty, Inc. – Sale of Block 142A, Lot 18*
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 Deputy Mayor Tomson seconded by Committeeman Burchette, the aforesaid resolution was unanimously approved upon call of the roll.

Committeeman Suraci motioned to reopen the public meeting after the executive session adjourned. The motion was seconded by Deputy Mayor Tomson, and was unanimously approved upon call of the roll.

### **ADJOURNMENT**

Upon motion by Committeeman Suraci, seconded by Deputy Mayor Tomson, the meeting duly adjourned at 10:02p.m. Said motion was carried unanimously upon voice vote.

Attested:

Pamela Borek  
Township Clerk