

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 Greg Burchette, Committeewoman Gloria McCauley, Committeeman Carl Suraci, and Deputy Mayor Doug Tomson. Also, in attendance were Township Attorney Albert Cruz, Township Clerk Pamela Borek and Township Administrator Anthony Ferrera. Mayor Frank DelCore was absent.

### **SALUTE TO THE FLAG**

Following roll call, Deputy Mayor Tomson advised that in accordance with 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 April 23, 2013.

Deputy Mayor Tomson called for a moment of silence for the victims of the Boston bombing.

### **APPROVAL OF MINUTES**

#### ***Approval of the March 19, 2013 Regular Session Minutes***

Upon motion by Committeewoman McCauley, seconded by Committeeman Burchette, the minutes of the March 19, 2013 Regular Session Minutes were approved upon the call of the roll.

#### ***Approval of the March 19, 2013 Executive Session Minutes***

Upon motion by Committeewoman McCauley, seconded by Committeeman Burchette, the minutes of the March 19, 2013 Regular Session Minutes were approved upon the call of the roll.

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

#### **Committeeman Burchette**

Committeeman Burchette participated in "Teacher for the day" with Mayor Frank DelCore and Deputy Mayor Tomson. He was assigned the 7<sup>th</sup> grade class.

Committeeman Burchette thanked the Triangle School for participating in Bubbles for Autism. Committeeman Burchette along with Committeewoman McCauley and Administrator Ferrera attended the event. The children were trying to break a record with 600 other kids blowing bubbles at a certain time for Autism across the United States.

Committeeman Burchette spoke about the Shop Hillsborough Program and that it is a new program with two informational sessions for the business community to learn more about the program. Over 100 businesses attended the sessions. Program users get tax credits to use toward their property taxes by shopping in Hillsborough.

Committeeman Burchette stated that on June 28<sup>th</sup> the US Marine Corps is holding the Inaugural Basilone Ball at the Bridgewater Raritan High School Football Stadium. This is to honor the local Marine Corp Hero John Basilone to raise funds for Toys for Tots and promote the Marine Corps.

**Committeewoman McCauley**

Committeewoman McCauley spoke about the Clean Up Day for Hillsborough Township. She stated that it was a great turnout. They cleaned up the old PID property located at 29 East Mountain Road and planted trees and flowers. Committeewoman McCauley thanked Buck Sixt and David Kois, as well as all participants.

Committeewoman McCauley stated that the Art Show is this Friday night from 7 – 9. There will be an unveiling of a new portrait.

**Committeeman Suraci**

Committeeman Suraci stated that the Parks and Recreation Summer Camp 2013 registration is up and running. Please visit Parks and Recreation online to register and for more information.

Committeeman Suraci stated that the Hillsborough Library Presents a Program next Friday, May 3<sup>rd</sup> at 6:30 pm, a documentary called “Reimagining Watershed Renaissance on the Raritan”.

Committeeman Suraci stated that on May 4<sup>th</sup> from 9 – 12 noon is the Western Challenge Bus Tour. It is an educational tour of the environment and history of the unique place in our own backyard at a cost of \$20.00 per person.

Committeeman Suraci stated that on May 16 at the Municipal Building there will be a Health Fair from 12:30 – 3:00 pm. Senior focused fair, but all ages are welcome. Hillsborough Rockettes will be dancing, Hillsborough Garden Club will be demonstrating, refreshments will be served also health tests including glycoma and hearing. Also from 4:40 – 7:30 pm will be the Community Health Fair. There will be a Dietician and Fire and Safety tips.

**Deputy Mayor Tomson**

Deputy Mayor Tomson stated that he participated in the Teacher of the Day Program. He went back to his old High School and visited with grades 9 - 11. Deputy Mayor Tomson thanked Don Adams and Rob Herman for inviting him into their classroom as well as the HS teachers and President Parker.

Deputy Mayor Tomson stated that on Saturday, May 25<sup>th</sup> Hillsborough will be hosting the Veterans breakfast, Memorial Day Parade, and the Garden of Honor Ceremonies. All Veterans are invited to the breakfast. Please register online for this event or go to the front office to fill out the form. Letters have been sent out as well.

Deputy Mayor Tomson stated that primary elections will take place on June 4, 2013. Last day to register to vote or transfer your registration is May 14, 2013. The office of Somerset County Board of Elections located on 20 Grove Street will be open from 8:30 am – 9:00 pm. Voter registration forms are in the Clerk’s office or on the Townships website.

**Mayor DelCore**

Absent

**PROCLAMATIONS**

**PROCLAMATIONS / APPOINTMENTS**

***Proclamation declaring April as National “Donate Life Month” and “National Blue and Green Day”***

***WHEREAS, realizing the urgent need for donors around the country, the National “Donate Life” Month observance was established in 2003, to promote a greater understanding about the life-saving benefits of***

donation. Established in April 2012, “National Donate Life Blue and Green Day” on April 19<sup>th</sup> 2013, represents a national effort to support and raise awareness for organ and tissue donation and transplantation; and

**WHEREAS**, The transplantation of organs and tissues is a miracle of modern medicine made possible through the compassion of organ and tissue donors, enabling surgeons to save thousands of lives every year; and

**WHEREAS**, Donors not only give the gift of life but also often restore health and sight to the recipients of the tissue and organs; and

**WHEREAS**, People of all ages, ethnic backgrounds and religions are affected by the need for organ transplants and by the serious shortage of organ donors that exist. Currently, there are nearly 5,000 New Jersey residents and over 115,000 Americans awaiting life-saving and life enhancing transplant operations; and

**WHEREAS**, Every capable person should support this vital effort by learning more about donating tissue and organs, registering as organ and tissue donors, making their families aware of their wishes, and be willing to give the precious gift of health, sight, and life to people in need; and

**WHEREAS**, registering as an organ and tissue donor at a local Motor Vehicle Agency or online at [www.NJSharingNetwork.org](http://www.NJSharingNetwork.org) signifies our fundamental human responsibility to help others.

**NOW, THEREFORE, BE IT PROCLAIMED**, that we, the Mayor and Township Committee of the Township of Hillsborough, hereby declare April as National “Donate Life Month” and “National Blue and Green Day” as a great opportunity to join the fight to save lives by giving the greatest gift.

#### **Proclamation honoring St. Joseph’s CYO 9<sup>th</sup> and 10<sup>th</sup> grade undefeated basketball team**

**WHEREAS**, the 2012- 2013 St. Joseph’s CYO 9<sup>th</sup> and 10<sup>th</sup> grade boys basketball team had a very successful season because of their hard work and dedication; and

**WHEREAS**, the St. Joseph’s 9<sup>th</sup> and 10<sup>th</sup> grade boys team was the top CYO team during the regular season with an undefeated record of 15 – 0; and

**WHEREAS**, the St. Joseph’s 9<sup>th</sup> and 10<sup>th</sup> grade boys team won the Christ the King High School Championships; and

**WHEREAS**, the St. Joseph’s 9<sup>th</sup> and 10<sup>th</sup> grade boys team won the 2012 – 2013 Mary Mother of God CYO Championships.

**NOW, THEREFORE, BE IT PROCLAIMED** that we, the Mayor and Township Committee of the Township of Hillsborough, do hereby commend all of the members of the St. Joseph’s 9<sup>th</sup> and 10<sup>th</sup> grade boy’s basketball team, not only for the awards and championships they have won, but also for their unwavering teamwork, dedication, and sportsmanship throughout the season.

**BE IT FURTHER PROCLAIMED** that we, the Mayor and the Township Committee, further commend the 9<sup>th</sup> and 10<sup>th</sup> grade boys’ basketball team for the honor that they have brought to themselves, their team and our community through their many achievements.

#### **Proclamation honoring the Hillsborough High School Girls’ Relay Swim team**

**WHEREAS**, the 2012-2013 Hillsborough High School Girls Swim Relay Team had a very successful season because of their hard work and dedication; and

**WHEREAS**, the 2012-2013 Hillsborough High School Girls Swim Relay Team comprised of the following young athletes: Lindsay Temple, Rachel Stoddard, Julieyanna Parker and Jacquelynn Parker, reached exceptional achievements; and

**WHEREAS**, the Hillsborough High School Girls Swim Relay Team won all three of their relay events at the 40<sup>th</sup> Annual Girls Individual Meet of Champions; and

**WHEREAS**, the Hillsborough High School Girls Swim Relay Team set new records for the 200-yard medley relay, 200-yard free style relay and the 400-yard free style relay ; and

**WHEREAS**, the Hillsborough High School Girls Relay Team set state record times for their relay events which are considered All American times that currently rank in the top 20 in the country for each relay.

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

**BE IT FURTHER PROCLAIMED** that we, the Mayor and the Township Committee, further commend the Girls Swim Relay Team for the honor that they have brought to themselves, their team and our community through their many achievements.

***Proclamation honoring the Hillsborough High School Girls' Swim Team***

**WHEREAS**, the 2012-2013 Hillsborough High School Girls Swim Team had a very successful season because of their hard work and dedication; and

**WHEREAS**, the 2012-2013 Hillsborough High School Girls Swim team comprised of 26 athletes who helped the team reach exceptional achievements; and

**WHEREAS**, the Hillsborough High School Girls Swim Team was lead by Todd Sudol and Adele Morgan; and

**WHEREAS**, the Hillsborough High School Girls Swim Team earned the title of the Somerset County Championship; and

**WHEREAS**, the Hillsborough High School Girls Swim Team earned the title of the Central Jersey Sectional State Champions.

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

**BE IT FURTHER PROCLAIMED** that we, the Mayor and the Township Committee, further commend the Girls Swim Team for the honor that they have brought to themselves, their team and our community through their many achievements.

***Proclamation honoring Todd Sudol as the Star Ledger's State Girls' Swimming Coach of the Year***

**WHEREAS**, Coach Todd Sudol , Hillsborough High School Swim Team Coach, was recognized as the Star Ledger's State Girls Swimming Coach of the Year for 2012-2013 season; and

**WHEREAS**, Coach Sudol has been the head coach of the Hillsborough High School Boys and Girls Swim teams for the past 13 years; and

**WHEREAS**, Coach Sudol is also a dedicated Education professional and is a Social Studies Teacher in the district for over 13 years; and

**WHEREAS**, Coach Sudol's philosophies as head coach and goals of his team is to always do equal or better, in helping committed athletes to achieve their goals; and

**WHEREAS**, under the leadership of Coach Sudol, the Hillsborough High School Swim Team's accomplishments represents our schools and hometown with the highest standards of integrity and sportsmanship; and

**NOW, THEREFORE, BE IT PROCLAIMED** that we, the Mayor and Township Committee of the Township of Hillsborough, do hereby commend Coach Todd Sudol, for his unwavering commitment and dedication to the youth of our community.

**BE IT FURTHER PROCLAIMED** that we, the Mayor and the Township Committee, further commend Coach Todd Sudol in honor as the Star Ledger's State Girls Swimming Coach of the Year and wish him continued success in the future.

***Proclamation proclaiming Saturday April 27, 2013 as YMCA Healthy Kids Day***

*WHEREAS, the mission of the YMCA is to build strong kids, strong families and strong communities through programs that focus on developing healthy mind, body and spirit; and*

*WHEREAS, as a community, we must work together to ensure the health and safety of all our children; and*

*WHEREAS, parents must be ever mindful that they are role models for their sons and daughters, and all children need to be taught healthy eating and exercise habits if they are to grow into strong, healthy adults; and*

*WHEREAS, the Hillsborough Family YMCA is dedicated to providing programs and services to children and adults throughout Hillsborough Township; and*

*WHEREAS, community-based programs are vital to helping alleviate the epidemic of childhood obesity and physical inactivity, particularly among young people; and*

*WHEREAS, on April 27, 2013, the Hillsborough Family YMCA will sponsor the YMCA Healthy Kid's Day to help our youth become healthier.*

**NOW, THEREFORE, BE IT PROCLAIMED** that we, the members of the Hillsborough Township Committee, do hereby proclaim April 27, 2013 as YMCA Healthy Kids Day in Hillsborough, New Jersey and encourage all residents to support the efforts of the Hillsborough Family YMCA to promote healthy living in our community.

Deputy Mayor Tomson stated he would like to move Considerations number 1 & 2 to this point in the agenda.

## CONSIDERATIONS

**1. RESOLUTION AUTHORIZING THE PROMOTION OF CORPORAL JAMES OMERT TO SERGEANT, EFFECTIVE MAY 1, 2013, AT THE CURRENT SALARY OF \$113,004.00, BECAUSE OF THE RETIREMENT OF SGT. ROBERT FLAHERTY ON FEBRUARY 1, 2013**

**WHEREAS**, because of the retirement of Sgt. Robert Flaherty on February 1, 2013, there exist an opening for Sergeant in the Hillsborough Township Police Department; and

**WHEREAS**, the promotional process was conducted in accordance with Ordinance 93-17 to select the most suitable candidate for promotion to the position of Sergeant in the Police Department has been completed; and

**WHEREAS**, the highest rated candidate for the position was determined to be Corporal James Omert; and

**WHEREAS**, Chief of Police Paul Kaminsky has recommended the appointment of Corporal James Omert to the position of Sergeant effective May 1, 2013, at an annual salary of \$113,004.00 pursuant to the current P.B.A. Contract.

**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 Chief of Police Paul Kaminsky be and hereby is accepted and approved, and Corporal James Omert shall be promoted to the position of Sergeant in the Hillsborough Police Department effective May 1, 2013.

Deputy Mayor Tomson stated that Corporal Omert competed in vigorous Police Department promotional process for Sgt. and he is the highest rated candidate. He received numerous commendations and command citations.

Deputy Mayor Tomson stated that the promotion of Corporal James Omert to Sergeant fills the vacancy created by Sgt. Flaherty's retirement.

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

**2. RESOLUTION TO HIRE ANDREW CHUDY AS POLICE OFFICER IN THE POLICE DEPARTMENT AT AN ANNUAL SALARY OF \$45,209.00 EFFECTIVE APRIL 24, 2013**

**WHEREAS**, there exists a vacancy in the position of Police Officer in the Police Department; and  
**WHEREAS**, the Chief of Police and the Police Committee have conducted a detailed examination of the top candidates; and

**WHEREAS**, the Chief of Police recommends that Andrew M. Chudy be hired as Police Officer in the Police Department at an annual salary of \$45,209.00, effective April 24, 2013.

**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 Police Chief be and hereby is accepted and approved.

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

Deputy Mayor Tomson invited Officer Chudy and any members of his family to come forward for his swearing in as a Police Officer with the Hillsborough Township Police Department.

**PRESENTATIONS**

Credit Card Advisory Committee Grant presentations

Deputy Mayor Tomson asked Ms. Toni Natale Chair of the Credit Card Advisory Committee and any other members to make their presentation.

Deputy Mayor Tomson thanked the Credit Card Advisory Committee for all of their hard work in reviewing the grant applications. Deputy Mayor Tomson stated that he is thankful to have this program at no expense to our taxpayers. He encouraged all Hillsborough residents to participate in using their Hillsborough Reward credit cards so this program can continue to afford grant opportunities to our youth, senior and non-profit organizations.

**NEW BUSINESS**

*None*

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

Susan Pristas 6 Pioneer Drive

Group home at 4 Pioneer Drive. Police have been called and have also been harassed. She is very concerned about one individual that lives there and would like to know how to protect her home and the neighborhood, because this home is next door to her. The police have been called four times in the last two weeks and it is across the street from a bus stop that three children take the bus.

Lauren Panarella executive director at the ARC So. County addresses Ms. Pristas concerns. ARC is an agency that provide service in the Somerset County area for forty years. They try to match individuals with support needs in their environment. That particular person is not a danger in the community. She is happy to work with the township to alleviate any concerns.

## PUBLIC HEARINGS

Deputy Mayor Tomson stated the public hearing on the following ordinance was held on March 19, 2013. Upon the recommendation of the Assistant Township Engineer and the Township Attorney, the vote was carried until this evening. All items have been reviewed and approved and at this time we will proceed with the vote on Ordinance 2013-07:

**2013-07 AN ORDINANCE AMENDING CHAPTER 188 (DEVELOPMENT REGULATIONS), ARTICLE V (DISTRICTS AND STANDARDS) OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO CHANGE THE ZONE DESIGNATION FOR BLOCK 180.01, LOTS 42, 43, 44, 45, AND 47 IN THE AG, AGRICULTURAL DISTRICT TO THE HS, HIGHWAY SERVICE DISTRICT**

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

**Section 1.** Amend the Zoning Map of the Township of Hillsborough, County of Somerset, State of New Jersey to change the zone designation for Block 180.01, Lots 42, 43, 44, 45, and 47 in the AG, Agricultural District to the HS, Highway Service District, in the area located at the southern end of Route 206 at the Montgomery municipal boundary, as indicated on the Revised Zoning Map.

**Section 2.** 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 3.** Effective Date. This ordinance shall take effect immediately upon passage and publication according to law.

Deputy Mayor Tomson stated that at the March 19<sup>th</sup> Township Committee Meeting, this ordinance was set for a public hearing, however because of to a technical correction to the title, an amended ordinance was introduced, only amending the lots associated with this ordinance.

Deputy Mayor Tomson stated the 2011 Master Plan Amendment-Land Use Element, which was adopted by the Planning Board on March 24, 2011, recommends the proposed zone change which involves the properties at the Montgomery border on the west side of Route 206 from AG, Agricultural District to the HS, Highway Service District.

Deputy Mayor Tomson said the subject area is located on the west side of Route 206 at the Montgomery Township municipal boundary.

Deputy Mayor Tomson stated that David Kois, our Zoning Officer and Assistant Township Planner is here this evening to provide further comment.

David Kois stated that main reason for the partial inconsistency are the four lots previously mentioned are rear portion of the existing residential lots in Montgomery were originally intended to be part of the HS (Highway Service) district, and that is the main reason.

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

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

a) Resolution stating the reasons of the Township Committee of the Township of Hillsborough for adopting Ordinance No. 2013-07 “An Ordinance amending Chapter 188 (Development Regulations), Article V (Districts and Standards) of the Code of the Township of Hillsborough, County of Somerset, State of New Jersey, to change the zone designation for Block 180.01, Lots 42, 43, 44, 45, and 47 in the AG, Agricultural District to the HS, Highway Service District”.

Deputy Mayor Tomson stated that Municipal Land Use Law requires that a resolution of the Township Committee must accompany any ordinance that varies from the Master Plan. This resolution is known as a “reasons resolution” which explains why the Township Committee believes that it is appropriate to adopt an ordinance which differs from the Master Plan. This “reasons resolution” addresses why this ordinance is different from the Master Plan: mainly, that the following block and lots should more appropriately remain in the AG zone: Block 180.01, Lots 46, 48, 49 and 50. This resolution adopts Ordinance 2013-07.

Deputy Mayor Tomson asked Mr. Kois to further comment on the reasons resolution.

Mr. Kois stated four lots will remain AG District and rest will become HS. Four lots which are AG are rear yards of residents in Montgomery Township.

Upon motion by Committeeman Suraci seconded by Committeewoman McCauley, the aforesaid resolution was unanimously approved upon call of the roll and Ordinance 2013-07 was adopted.

## INTRODUCTION OF NEW ORDINANCES

### **2013-15 AN ORDINANCE SUPPLEMENTING CHAPTER 237-2, TITLED “RECORDS”, SECTION “F”, TITLED “THE FOLLOWING FEES SHALL BE ESTABLISHED FOR PERMITS OR OTHER SUCH SERVICES PROVIDED BY THE FINANCE DEPARTMENT”, OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, TO INCLUDE LIEN REDEMPTION STATEMENT FEES**

**WHEREAS**, it is the purpose of this Ordinance to supplement Chapter 237-2, titled “Records”, Section “F”, titled “The following fees shall be established for permits or other such services provided by the Finance Department” to include Lien Redemption Statement Fees of the Code of the Township of Hillsborough, County of Somerset, State of New Jersey; and

**WHEREAS**, pursuant to N.J.S.A. 54:5-54, a municipality shall provide any party entitled two (2) Lien Redemption Statements within a calendar year at no cost; and

**WHEREAS**, N.J.S.A.54:5-54 further permits a municipality to, by ordinance, require a fee not to exceed \$50.00 for each request for a Lien Redemption Statement thereafter, during the same calendar year; and

**WHEREAS**, in accordance with the Township of Hillsborough’s Chief Financial Officer and Tax Collector, it is the intention of this Ordinance to amend Chapter 237-2 as follows:

1.) Section F (4) Lien Redemption Statements. The first and second request for a Lien Redemption Statement, in a calendar year, shall be provided by the Finance Department at no charge. Subsequent requests within the same calendar year shall incur a fee of \$25.00 payable to the Township of Hillsborough upon making said request.

**NOW, THEREFORE, BE IT ORDAINED** by the Township of Hillsborough, County of Somerset, State of New Jersey, that Chapter 237-2, titled "Records", Section "F", titled "The following fees shall be established for permits or other such services provided by the Finance Department", of the Code of the Township of Hillsborough, be supplemented as follows:

1.) Section F (4) Lien Redemption Statements. The first and second request for a Lien Redemption Statement, in a calendar year, shall be provided by the Finance Department at no charge. Subsequent requests within the same calendar year shall incur a fee of \$25.00 payable to the Township of Hillsborough upon making said request.

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

Deputy Mayor Tomson stated that this ordinance amends the township code to address the requests for lien redemption calculations that come into our Tax Office. Our Tax Office receives multiple requests from the same requesting agency. It appears this is simply information being gathered by the mortgage companies, for the most part.

Deputy Mayor Tomson said that currently, we do not currently charge for this service, however, New Jersey tax law does permit charging a fee.

Deputy Mayor Tomson stated that Lien Redemption Statements for the first and second request per calendar year are at no cost. The third and all subsequent requests per calendar year will be \$25.00 each.

Committeeman Suraci moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on May 28, 2013 at 7:30 p.m. Said motion was seconded by Committeeman Burchette and unanimously approved upon call of the roll.

### **CONSIDERATIONS**

#### **3. RESOLUTION SUPPORTING PSE&G'S "ENERGY STRONG" PROGRAM**

**WHEREAS**, the State of New Jersey has experienced a series of extreme weather events over the last two years, including but not limited to: Hurricane Irene, the October 2011 snowstorm, Superstorm Sandy and an accompanying Nor'easter; and

**WHEREAS**, said extreme weather events severely damaged Public Service Electric and Gas Company's ("PSE&G") infrastructure, including but not limited to: flooded electrical substations due to storm surges, downed power lines and poles due to high winds and fallen trees, and the destruction of gas meters due to contact with water; and

**WHEREAS**, the New Jersey Board of Public Utilities ("BPU") issued an order on January 23, 2013 directing the State's electric and gas utilities, including PSE&G, to implement certain recommendations in the areas of: "Preparedness efforts", "Communications", "Restoration and response", "Post event", and "Underlying infrastructure issues"; and

**WHEREAS**, PSE&G submitted an infrastructure filing on February 20, 2013 entitled "Energy Strong"; and

**WHEREAS**, "Energy Strong" proposes an investment of \$3.98B worth of infrastructure projects over a 10-year period to enhance PSE&G's electrical and gas system, including but not limited to: fortifying electrical stations, replacing and modernizing cast iron gas mains, deploying smart grid technologies, improving pole

distribution systems, creating more redundancies, undergrounding of electricity lines, and protecting gas metering stations; and

**WHEREAS**, the Township of Hillsborough would benefit from the proposed investments in the “Energy Strong” filing.

**NOW, THEREFORE BE IT RESOLVED** that the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey supports the PSE&G’s “Energy Strong” program.

Deputy Mayor Tomson stated that as a result of the recent storms, the Board of Public Utilities issued an order on January 23, 2013 directing the State’s electric and gas utilities to implement certain recommendations in areas of preparedness, communications, restoration and response, post event and underlying infrastructure issues. PSE&G submitted an infrastructure filing entitled “Energy Strong”. This resolution supports PSE&G’s initiative in responding to the BPU’s order.

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

**4. RESOLUTION REAFFIRMING THE PURPOSE OF THE SUSTAINABLE HILLSBOROUGH STEERING COMMITTEE**

**WHEREAS**, the Township Committee of the Township of Hillsborough strives to save tax dollars, improve the working and living environment, assure clean air and water, and build a community that is sustainable economically, environmentally and socially; and

**WHEREAS**, the Township Committee of the Township of Hillsborough began the process of making its operations greener and more energy and resource efficient, addressing greenhouse gas emissions, and adopting green building design strategies; and

**WHEREAS**, clean and renewable energy, green alternatives to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Township moves to do its share to lessen the environmental impact of its operations; and

**WHEREAS**, the Township Committee of the Township of Hillsborough wishes to build a model of government which benefits its residents now and into the future by setting goals, tracking progress, and adopting policies and actions to meet evolving conditions; and

**WHEREAS**, to focus attention on “Green and Sustainability” issues, the Township Committee created a Strategic Plan for a Sustainable Hillsborough that establishes Goals and a Strategies Plan to pursue the path towards a sustainable future for the Township of Hillsborough; and

**WHEREAS**, the Township Committee of the Township of Hillsborough wishes to reaffirm ongoing strategic planning process to achieve its Goals, educate the public, and review its progress.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Hillsborough that the Township Committee wishes to reaffirm the purpose of the Sustainable Hillsborough Steering Committee as follows:

1. Develop recommendations for short-term and long-term actions and strategies to keep the Township moving toward achieving its sustainability goals.

2. Articulate goals and a long-term vision for the future of the Township.
3. Educate residents of Hillsborough about sustainable development, the Strategic Plan for a Sustainable Hillsborough, what Hillsborough is doing to achieve its goals, and what residents can do to support Hillsborough in achieving its goals.
4. Upon request of the Township Committee, provide recommendations to the Township Committee on ways to implement best practices to achieve the Goals of the Strategic Plan for a Sustainable Hillsborough that improve environmental performance, foster a sense of community and are fiscally responsible.
5. Upon request of the Township Committee, present recommendations to Township Committee Liaison and Administrator on reviewing, modifying and updating the sustainability goals, indicators, targets and strategies in the Strategic Plan for a Sustainable Hillsborough.
6. Maintaining updates to the web-based version of the Strategic Plan for a Sustainable Hillsborough on the official Sustainable Hillsborough website, and provide content to the Township Committee for the Township's website.
7. Keep current with Sustainable Jersey goals.

**BE IT FURTHER RESOLVED**, by the Township Committee of the Township of Hillsborough, that the Sustainable Hillsborough Steering Committee will consist of a total of seven (7) regular and two (2) alternate members, comprised of members from existing Township Boards and Commissions and members from the public, education or business community. All members shall be appointed by the Township Committee, a Township Committee member will serve as Liaison but will not be counted as one of the members. The Chair of the Sustainable Hillsborough Steering Committee shall be appointed by the Township Committee. All terms will be one (1) year each.

Deputy Mayor Tomson stated that this resolution restates the goals and objectives of the Sustainable Hillsborough Steering Committee.

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

**5. RESOLUTION AUTHORIZING THE HIRING OF MICHAEL STROTHERS AND DAVID ABRUZZI AS PUBLIC WORKS WORKER, LEVEL 1 IN THE HILLSBOROUGH DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, there exists two (2) vacancies in the Hillsborough Township Department of Public Works for two (2) full time Public Works Worker, Level 1; and

**WHEREAS**, the Director of Public Works recommends the hiring of Michael Strothers and David Abruzzi as full time Public Works Worker, Level 1, at a starting salary of \$30,922.20 per year, effective April 29, 2013.

**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 Buck Sixt, Director of Public Works, be and hereby is accepted and approved.

Deputy Mayor Tomson stated that after an extensive interview process, we are pleased to hire Mr. Strothers and Mr. Abruzzi in the Department of Public Works. This is replacing two vacant positions which were part of the 2013 budget.

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

**6. RESOLUTION AUTHORIZING ERIC M. BERNSTEIN & ASSOCIATES, LLC TO PROVIDE PROFESSIONAL SERVICES ASSOCIATED WITH COMMERCE BANK, NA/TD BANK V. THE TOWNSHIP OF HILLSBOROUGH**

**WHEREAS**, on January 3, 2013, as a result of the fair and open procurement process, N.J.S.A. 19:44A-20.4-5 et seq., Eric M. Bernstein & Associates, LLC was awarded a professional services contract designating Eric M. Bernstein & Associates, LLC, as the Township of Hillsborough Labor Attorney; and

**WHEREAS**, there is now the necessity for professional services; namely, to act as the Township's Tax Conflict Counsel regarding the matter of Commerce Bank, NA/TD Bank v. the Township of Hillsborough.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that Eric M. Bernstein & Associates, LLC, is authorized to perform professional services; namely, to act as the Township's Tax Conflict Counsel regarding the matter of Commerce Bank, NA/TD Bank v. the Township of Hillsborough.

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

1. The Mayor and Township Clerk are hereby authorized to execute an amendment to the Professional Services Contract with Eric M. Bernstein & Associates, LLC, for these services.

2. This Amended Contract is awarded, as a result of the Fair and Open Selection Process as "Professional Services" in accordance with N.J.S.A. 40A:11-5(1)a of the Local Public Contracts Law and the New Jersey Local Unit Pay to Play Law (N.J.S.A. 19:44A-20.4-5 et seq.) because these services will be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, the performance of which service requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized instructions as distinguished from general academic instruction or apprenticeship and training.

**3. The Mayor and Township Clerk are hereby authorized to execute an amendment to the "Professional Services", with Eric M. Bernstein & Associates, LLC, for these services.**

4. A notice of this action shall be printed once in the official Township newspaper.

Deputy Mayor Tomson stated that Commerce Bank, NA/TD Bank, NA has filed a tax appeal against the Township of Hillsborough and there is a conflict between the Township Attorney and Commerce Bank, NA/TD Bank, NA. This resolution authorizes Eric M. Bernstein & Associates to represent the Township in this matter.

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

**CONSENT**

**1. RESOLUTION AUTHORIZING THE REACH THE BEACH RELAY TO HOLD A PORTION OF THEIR ROAD RACE IN THE TOWNSHIP OF HILLSBOROUGH ON SATURDAY, OCTOBER 19, 2013, PURSUANT TO THE REQUIREMENTS OUTLINED BY CHIEF PAUL KAMINSKY**

**WHEREAS**, the Reach the Beach Relay has requested to hold a portion of their road race, on Saturday, October 19, 2013 in the Township of Hillsborough; and

**WHEREAS**, prior to October 19, 2013 the Reach the Beach Relay will produce a certificate of insurance naming the Township of Hillsborough as an insured; and

**WHEREAS**, Chief Kaminsky and Hillsborough Township Police Department's Traffic Safety Bureau have 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 that the Reach the Beach Relay is hereby authorized to hold a race in Hillsborough Township on October 19, 2013.

**2. RESOLUTION AUTHORIZING TUITION REIMBURSEMENT TO OFFICER CHRISTOPHER MCMINN FOR COMPLETION OF "INTRODUCTION TO EMERGENCY MANAGEMENT" AND "GIS (GEOGRAPHIC INFORMATION SYSTEMS) FOR EMERGENCY ADMINISTRATION" OFFERED THROUGH FAIRLEIGH DICKINSON'S HOMELAND SECURITY PROGRAM, IN THE AMOUNT OF \$2,715.44, 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 "Introduction to Emergency Management" and GIS (Geographic Information Systems) for Emergency Administration" courses through Fairleigh Dickinson's Homeland Security program; 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 \$3,620.58 cost incurred for a total of \$2,715.44.

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

**3. RESOLUTION AUTHORIZING THE MIDDLE EARTH HILLS OF SOMERSET SEVENTY-FIVE (75) MILE ROAD RACE TO TRAVEL THROUGH A PORTION OF HILLSBOROUGH**

**TOWNSHIP ON SATURDAY MAY 25, 2013, PURSUANT TO THE REQUIREMENTS  
OUTLINED BY CHIEF PAUL KAMINSKY**

**WHEREAS**, Middle Earth wishes again to conduct their Annual Super Saturday Cycling Classic “Hills of Somerset” County Road Race, a seventy-five(75) mile course, on Saturday, May 25, 2013, through portions of Hillsborough; and

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

**WHEREAS**, Chief Kaminsky and Hillsborough Township Police Department’s Traffic Safety Bureau have determined that the planned route will provide an acceptable level of safety for the cyclers.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that Middle Earth is hereby authorized to hold a seventy-five (75) mile road race through portions of Hillsborough Township on May 25, 2013.

**4. RESOLUTION AUTHORIZING THE HILLSBOROUGH BOARD OF EDUCATION TO PLACE  
DISPLAY CASES IN THE HILLSBOROUGH TOWNSHIP MUNICIPAL BUILDING**

**WHEREAS**, a request has been made from the Hillsborough Township Board of Education to place display cases in the Municipal Building.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Hillsborough Township Board of Education is hereby authorized to place display cases in the Hillsborough Township Municipal Building.

**5. RESOLUTION APPROVING REQUEST FROM HILLSBOROUGH RESCUE SQUAD FOR  
THE WAIVER OF PERMIT AND INSPECTION FEES FOR A BUILDING PROJECT**

**WHEREAS**, Hillsborough Rescue Squad will be performing construction at the building located at 48 East Mountain Road, Hillsborough, New Jersey and requested that permit and inspection fees be waived.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the permit and inspection fees in connection with the above be and are hereby waived.

**6. RESOLUTION AUTHORIZING THE SOMERSET VALLEY YMCA, HILLSBOROUGH  
BRANCH, TO UTILIZE THE BOARD OF EDUCATION PARKING LOT FOR THEIR 13<sup>TH</sup>  
ANNUAL HILLSBOROUGH HOP 5K RACE IN HILLSBOROUGH TOWNSHIP ON  
SATURDAY, JUNE 1, 2013**

**WHEREAS**, the Somerset Valley YMCA Hillsborough Branch has requested to utilize the Board of Education parking lot for their 13<sup>th</sup> Annual Hillsborough Hope 5K Race, on Saturday, June 1, 2013, in Hillsborough Township; and

**WHEREAS**, prior to June 1, 2013, the Somerset Valley YMCA Hillsborough Branch will produce a certificate of insurance naming the Township of Hillsborough as an insured.

**NOW, THEREFORE**, be it resolved by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Somerset Valley YMCA Hillsborough Branch is hereby

authorized to utilize the Board of Education parking lot for their 13<sup>th</sup> Annual Hillsborough Hope 5K Race, on Saturday, June 1, 2013, in Hillsborough Township.

7. **RESOLUTION AUTHORIZING OFFICER CHRISTOPHER MCMINN TO ENROLL IN “IMPLEMENTING ORGANIZATIONAL CHANGE” DUE TO THE CANCELLATION OF THE PRIOR APPROVED “SOCIOLOGICAL EFFECTS OF DISASTER” AND TO BE ELIGIBLE FOR TUITION REIMBURSEMENT OF SAID COURSE ONCE IT HAS BEEN SUCCESSFULLY COMPLETED, PURSUANT TO ARTICLE XVIII OF THE CURRENT PBA CONTRACT**

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

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

**WHEREAS**, Officer Christopher McMinn is requesting authorization to take “Implementing Organizational Change” due to the cancellation of the prior approved “Sociological Effects of Disaster” towards his Master of Science Degree in Homeland Security (MSHS) program; and

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

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

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

8. **RESOLUTION APPROVING THE APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR FOR J & R RESTAURANT, LLC FOR AN EVENT TO BE HELD ON JUNE 8, 2013 AT DUKE FARMS**

**WHEREAS**, an application for a Special Permit for Social Affair has been filed by J & R Restaurant, LLC for an event to be held on June 8, 2013 at Duke Farms; and

**WHEREAS**, the submitted application is complete.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the application for Special Permit for Social Affair for J & R Restaurant, LLC for event to be held on June 8, 2013, at Duke Farms.

9. **RESOLUTION APPROVING THE APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR FOR MANVILLE-HILLSBOROUGH ELKS FOR AN EVENT TO BE HELD ON MAY 19, 2013**

**WHEREAS**, an application for a Special Permit for Social Affair has been filed by Manville-Hillsborough Elks for an event to be held on May 19, 2013; and

**WHEREAS**, the submitted application is complete.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the application for Special Permit for Social Affair for Manville-Hillsborough Elks for event to be held on May 19, 2013.

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

### **CLAIMS LISTS**

Deputy Mayor Tomson presented Claims Lists 2013-08.

Upon motion by Committeewoman McCauley, seconded by Committeeman Burchette, Claims List 2013-08 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:

*i. Personnel: Jack Daniels*

*Eric K. Dabek*

*Garth Fritzing*

*ii. Contract Negotiations: John Zamkotowicz, Block 199, Lot 18*

*Sanitary Sewer Expansion*

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

Committeeman Burchette motioned to reopen the public meeting after the executive session adjourned. The motion was seconded by Committeewoman McCauley, and was unanimously approved upon call of the roll.

### **ADJOURNMENT**

Upon motion by Deputy Mayor Tomson, seconded by Committeeman Suraci, the meeting duly adjourned at 9:48 p.m. Said motion was carried unanimously upon voice vote.

Attested:

Pamela Borek  
Township Clerk