

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, Deputy Mayor Doug Tomson and Mayor Frank DelCore. Also, in attendance were Township Clerk Pamela Borek, Township Administrator Anthony Ferrera, and Township Attorney William Willard on behalf of Albert Cruz. Committeeman Carl Suraci was absent.

SALUTE TO THE FLAG

Following roll call, Mayor DelCore 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 November 12, 2013.

APPROVAL OF MINUTES

Approval of the October 8, 2013 Regular Minutes

Upon motion by Deputy Mayor Tomson, seconded by Committeeman Burchette, the minutes of the October 8, 2013, Regular meeting were approved upon the call of the roll.

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

Committeeman Burchette

Committeeman Burchette congratulated Mayor DelCore on his re-election.

Committeeman Burchette noted that the Hillsborough Township Online Tax Payment website has been enhanced to allow homeowners to make partial tax payments. Previously only payments for the full amount of taxes due were available, now partial payments can be made via the online system.

Committeeman Burchette stated that the Building Department announced that four Certificates of Occupancy have issued to new businesses in town. Stay tuned for their grand openings.

Committeeman Burchette stated that road work continues on Amwell Road through the County's widening project. Hamilton Road and Weston Road will be milled and paved over the next couple of weeks – weather permitting. Please exercise caution through these construction areas and allow for extra travel time.

Committeewoman McCauley

Committeewoman McCauley congratulated Mayor DelCore on his next three years of service to Hillsborough Township.

Committeewoman McCauley stated that the Hillsborough Township Police Department was visited by a team of assessors from the New Jersey State Association of Chiefs of Police. They examined all aspects of the Police Department's policies and procedures, management, operations and support services. After a thorough investigation of the files, the team verified that the Hillsborough Township Police Department meets the Commission's best practice standards. Police Chief Paul Kaminsky is proud to announce that the Hillsborough Township Police Department will be recommended to receive accreditation at a hearing in May. Congratulations to Chief Kaminsky and the entire Police Department on a job well done.

Committeewoman McCauley reminded residents that the 2013 Leaf pick up program is underway. Leaves should be raked to the curb but not put in the street. They can be placed in a homemade bin with stakes and wire fencing

to keep them in a confined area but should be no higher than 36 inches at the curb. Please see the website or the Friday eNews with more details.

Committeewoman McCauley added that leaf and grass clippings are allowed to be dumped at the Auten Road Facility on the third Friday of every month.

Deputy Mayor Tomson

Deputy Mayor Tomson joined his colleagues by congratulating Mayor DelCore on his re election and he looks forward to serving the next few years with Mayor DelCore.

Deputy Mayor Tomson stated that it's that time of year where you would want to spread some holiday cheer. The Hillsborough Community Assistance Network (CAN) is gearing up for their annual holiday program for the Township families in need. The Community Assistance Network is looking for residents to sponsor families enrolled in this program. If you would like to help please contact The Hillsborough Community Assistance Network at 369-3880 or Cathy Faerber in Social Services.

Deputy Mayor Tomson reminded residents that November is diabetes awareness month. The Health Department would like to get the word out about diabetes; please visit the website for more information and important links for diabetes.

Deputy Mayor Tomson stated that if you think you are headed in that direction we strongly advise that you visit the Township website for more information and important links where we have information on our website for diabetes. If you have any symptoms you should contact your doctor as soon as possible.

Mayor DelCore

Mayor DelCore thanked the voters of Hillsborough for their confidence and voting for him to remain on the Township Committee for another three years. He is honored to serve the residents of Hillsborough and thanked them.

Mayor DelCore announced the annual Reorganization meeting will be held on Thursday, January 2, 2014 at 7pm here in the court room. Immediately following will be refreshments and all are invited.

Mayor DelCore stated that Hillsborough voters decided to keep Open Space Fund unchanged in Tuesday's General Election. The Municipal Ballot question gave voters the opportunity to decide if 20% of future Open Space Tax dollars could be allocated to improvements to the Open Space Inventory of property. The ballot initiative did not pass as a result of the election and therefore the current balance in the Open Space Fund and any future monies derived from the Open Space Tax will remain dedicated to open space acquisition purposes. He informed residents that the Township will not proceed with the needs assessment which was approved at the last meeting via resolution since the question did not pass.

Mayor DelCore stated that last month, Governor Christie came to Hillsborough to open the mid-section of the Peter J. Biondi Bypass. The weather cooperated and there was quite a crowd for the ceremony. Everyone was excited to get that road open after years of planning. We are thankful even though it's not complete. We thank the Governor for coming out and supporting that event. We look forward to the state to begin work on the other sections.

Mayor DelCore noted that the township hosted the 5th Annual Veterans Day Ceremony yesterday evening. Veterans and guests gathered at the Garden of Honor for the ceremony which was followed by a reception in the multipurpose room, which included the video documentary "Hillsborough Hometown Heroes" presented by Miss Nicole Rossi. This was Nicole's Girl Scout Gold Award project and was quite impressive. He responded that she held a special viewing for the participating Veterans last week. Mayor DelCore congratulated Nicole.

Mayor DelCore thanked Triangle School and Woodern Elementary for their invitations to come in yesterday. At Triangle School he and Committeewoman McCauley participated in their Veterans Day Event. They had a assembly with a very touching song which was sang. Then he headed over to Woodfern and met with 3rd and 4th graders for a Government discussion.

Mayor DelCore announced that the Annual Christmas Tree Lighting Ceremony is set to be held on Friday, December 6th at 7pm at the Peter J. Biondi building.

Mayor DelCore announced that the Annual Menorah Lighting is set to be held on Sunday, December 1st at 4pm at the municipal complex that is sponsored by the Chabad Center for Jewish Life. Please visit the website at www.mycenter.org for more information.

Committeeman Suraci

Absent

PROCLAMATIONS

Proclamation honoring 2013 Hillsborough Middle School Girls Softball Team

WHEREAS, the 2013 Hillsborough Middle School Girls Softball Team had a very successful season because of their hard work and dedication; and

WHEREAS, the 2013 Hillsborough Middle School Girls Softball Team comprised of the following young athletes: Grace Cofino, Catherine Korsun, Olivia Marnell, Kristen Sarik, Anastasia Barney, Julia Colavita, Jennifer Klein, Sophia Leone, Hannah McCray, Alexa Penna, Adriana Prieto, Alissa Saverino, Nikita Solanki, Ashley Steeneck, Kelsey Galevich, Katie Myers, and Jenna Powell who helped the team reach exceptional achievements; and

WHEREAS, the Hillsborough Middle Girls Softball Team was led by Coach Rich Rosenblum and Assistant Coach Larissa McCann; and

WHEREAS, the Hillsborough Middle School Girls Softball Team had a 15-1 season; and

WHEREAS, the Hillsborough Middle School Girls Softball Team won the title of the 2013 Central Jersey Junior Softball League Champions.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Township Committee of Hillsborough, do hereby commend all of the members of the 2013 Hillsborough Middle School Girls Softball 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 2013 Hillsborough Middle School Girls Softball Team for the honor that they have brought to themselves, their team and our community through their many achievements.

Mayor DelCore thanked everyone once again for being here with us this evening. Congratulations Ms. Galevich. We are glad you were able to come in and receive your proclamation.

NEW BUSINESS

None

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

None

PUBLIC HEARINGS

2013-16 An Ordinance of the Township of Hillsborough in the County of Somerset, New Jersey, providing for various Capital improvements and related expenses in and for the Township of Hillsborough and appropriating \$716,713 therefore, and providing for the issuance of \$680,877 in bonds or notes of the Township of Hillsborough to finance the same.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Hillsborough, in the County of Somerset, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$716,713, including the sum of \$35,836 as the down payment required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$680,877 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued include the migration of the Township Police Communication System; the upgrading of the Township 911 System and the acquisition and installation of a VOIP Phone System, and all work and materials necessary therefor or incidental thereto.

(b) The maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance

Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purposes, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$680,877 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

(e) The Township reasonably expects to commence the acquisition and/or construction of the improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Township hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor DelCore stated that this ordinance was previously adopted but due to the publication not having the synopsis of the ordinance it has been re-advertised for a public hearing. At our last meeting we lacked the 2/3s of the Governing body present for adoption so at this time we will open the public hearing again in the event there are any members from the public that wish to be heard on this matter.

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

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

INTRODUCTION OF NEW ORDINANCES

2013-20 An Ordinance repealing and replacing Section 10 Titled “Issuance and Expiration of Permits”, Section 11 Titled “Permit Fees”, and Section 12 Titled “Regulations”, of Article II Titled “Permits for Township Parking Areas and Park and Ride Facilities”, of Chapter 218 Titled “Parking”, of the Municipal Code of the Township of Hillsborough. *Further consideration of this ordinance and public hearing will be held on December 10, 2013.*

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

Section 1. The Municipal Code of the Township of Hillsborough Section 218-10 Titled “Issuance and Expiration of Permits”, 218-11 Titled “Permit Fees”, and 218-12 Titled “Regulations”, of Article II Titled “Permits for Township Parking Areas and Park and Ride Facilities”, of Chapter 218 Titled “Parking”, are hereby repealed and replaced as follows:

§ 218-10. Issuance and expiration of permits.

The Clerk of the Township of Hillsborough shall issue parking permits for permit parking lots to applicants upon the filing of a permit application and payment of the required fee. Permits shall be issued semiannually subject to availability. The semiannual permits shall be valid from August 1st to January 31st and February 1st to July 31st.

§ 218-11. Permit fees. The fee for obtaining a semiannual parking permit for the Park and Ride Lot A on Amwell Road shall be twenty five (\$25.00) dollars. The permit fee shall not be prorated based on the time of application and issuance.

§ 218-12. Regulations.

- A. Parking permits are assigned to the vehicle identified on the application and are nontransferable.
- B. Parking permits must be adhered to the rear window of the driver’s side of the vehicle.
- C. Vehicles must be parked head-on in a designated parking space.
- D. Signs or advertisements identifying a vehicle is for sale may not be displayed in or upon a vehicle or be made visible in any way while a vehicle is parked in a permit parking lot.

Section 2. Effective Date: This Ordinance shall take effect immediately upon final passage and publication according to law.

Mayor DelCore stated that this ordinance amends the park and ride permit process for the Amwell Road Park and Ride. This permit process will mirror the timeframes the High School uses to make better use of that parking facility.

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 December 10, 2013 at 7:30 p.m. Said motion was seconded by Committeewoman McCauley and unanimously approved upon call of the roll.

CONSIDERATIONS

1. **RESOLUTION SUPPORTING THE “NO PASSING ZONE” ON ROUTE 206 RECOMMENDED BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT).**

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 206 in Hillsborough Township; and

WHEREAS, NJDOT investigation revealed the current centerline pavement markings on Route 206 meet and conform to current design standards; and

WHEREAS, NJDOT will update existing records to reflect current No Passing Zone conditions along US Route 206; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, in the County of Somerset, State of New Jersey, that it supports the use of a “No Passing Zone” on Route 206 in Hillsborough Township as recommended by NJDOT.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

Mayor DelCore stated this resolution is in reference to an investigation conducted by the New Jersey Department of Transportation on the centerline markings along Route 206 in the Township. The Bureau of Traffic Engineering determined through that investigation that the centerline markings meet and conform to the current design standards and Route 206 will remain a No Passing Zone throughout its length in the Township of Hillsborough.

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

2. RESOLUTION AUTHORIZING COMPENSATION ADJUSTMENTS FOR PART-TIME EMPLOYEES IN THE BUILDING DEPARTMENT.

WHEREAS, Ron Skobo, Director of the Building Department recommends compensation adjustments be provided to the Township’s part time building inspectors Keith Grabowski, Frank Lukacs, Ed Sienkiewicz and Ken Clayton adjusting their compensation rate to \$30.00 per hour effective November 12, 2013 in recognition of their length of service to the Township and experience; and

WHEREAS, Ron Skobo, Director of the Building Department recommends a compensation adjustment also be provided to the Township’s part time Technical Assistant, Helena Beck, adjusting her compensation rate to \$15.50 per hour effective November 12, 2013 in recognition of her service to the Township; and

WHEREAS, the Chief Financial Officer, Nancy Costa, has verified there is sufficient funds in the 2013 budget to accommodate these compensation adjustments.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the recommendations of Ron Skobo, Director of Building, are hereby accepted and approved.

Mayor DelCore stated based on the recommendation of the Director of the Building and Construction Department, this resolution authorizes compensation adjustments for 4 of the Township’s part-time inspectors who have been employed by the Township the longest as well as one of the part-time Technical Assistants. It has been verified with the CFO that there are sufficient funds in the budget to accommodate these adjustments.

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

3. RESOLUTION AWARDING A CONTRACT TO LIME ENERGY FOR THE REPLACEMENT OF TWO (2) EXISTING HEAT PUMP SYSTEMS FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$12,980.00.

WHEREAS, there is a need for the replacement of two (2) existing heat pump systems for the Police Department; and

WHEREAS, a solicitation for quotes was prepared and distributed to interested companies; and

WHEREAS, three (3) quotes were received as follows:

1. Lime Energy	\$12,980.00
2. V.I.P. Comfort Systems Inc.	\$16,820.00
3. Binsky Service	\$23,340.00

WHEREAS, the Director Public Works has recommended that Lime Energy perform these services; and

WHEREAS, the Qualified Purchasing Agent has determined that Lime Energy should be awarded the contract based on their quote; 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. An award of contract for the replacement of two (2) existing heat pump systems for the Police Department is made to Lime Energy in an amount not to exceed \$12,980.00.
2. The Mayor and Township Clerk are hereby authorized to execute a contract which shall delineate within it all of the terms of this Resolution and the contract documents.

Mayor DelCore stated there is a need to replace two existing heat pump systems in the Police Department. Three quotes were received in response to the solicitation for quotes and it has been determined by the Director of Public Works and the Qualified Purchasing Agent that Lime Energy should be awarded the contract.

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

4. RESOLUTION AWARDING A CONTRACT TO DURAWEAR GLOVE & SAFETY CO., INC., FOR "PUBLIC WORKS UNIFORMS 2013-2015".

WHEREAS, pursuant to the agreement between the Township of Hillsborough and Teamster Local 469, there is a need for Public Works and Parks Uniforms, which include shirts, pants, jackets, coveralls, sweatshirts, vests, hats, rain gear, rubber boots, work gloves; and

WHEREAS, a notice of advertisement for bids and an Invitation to Bid were prepared and advertised on October 24, 2013; and

WHEREAS, sealed bids were opened and read on November 7, 2013 at 10:00 AM, which was the time and place as provided for in the Invitation to Bid entitled “Public Works Uniforms 2013-2015” in accordance with the Local Public Contracts Law; and

WHEREAS, two (2) bids were received from the following vendors:

<u>Vendor</u>	<u>Amount</u>
Durawear Glove & Safety Co., Inc.	\$82,668.05
Specialty Graphics LLC	\$86,131.00

WHEREAS, the specifications provide that the award of the contract shall be made to the lowest responsible bidder for the total of categories 1 through 7 of the bid specifications; and

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

WHEREAS, the Qualified Purchasing Agent has determined that the lowest responsible bidder is Durawear Glove & Safety Co., Inc.; and

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

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

1. An award of contract for “Public Works Uniforms 2013-2015” is made to Durawear Glove & Safety Co., Inc., in an amount not to exceed \$82,668.05.
2. The Mayor and Township Clerk are hereby authorized to execute the Township standard form of contract which shall delineate within it all of the terms of this Resolution and the right of the Township Clerk to determine if and when the services are needed.
3. A notice of this action shall be printed once in the official Township Newspaper.

Mayor DelCore stated that the Township sought competitive sealed bids for a provider of uniforms for the Department of Public Works. The Township received two bids and is awarding the contract to Dura-Wear.

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

5. RESOLUTION APPROVING 2013 BUDGET TRANSFER.

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

WHEREAS, there is a need to do appropriation transfers between appropriations in the 2013 Municipal Budget.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough that the Chief Finance Officer be authorized to make transfers between the following appropriations in the 2013 Budget:

TO:	Annual Audit	OE	706	12,625.00
	Legal	OE	712	25,000.00
	Zoning/Board of Adjustment	OE	721	8,644.00
	Construction	SW	725	32,000.00
	Dog Regulation	OE	788	60,000.00
	Electric	OE	825	40,000.00
	TOTAL			178,269.00
FROM:	Planning	OE	720	7,000.00
	Environmental Commission	OE	723	1,644.00
	DPW Streets & Roads	S&W	765	75,000.00
	DPW Streets & Roads	OE	765	25,000.00
	Wildlife Management	OE	789	6,025.00
	Gypsy Moth Spraying	OE	790	3,600.00
	Fire Hydrants	OE	824	50,000.00
	Condo Services Acct	OE	847	10,000.00
	TOTAL			178,269.00

Mayor DelCore stated that the budget transfers are only permitted in the last 2 months of the fiscal year or in the first 3 months of the new fiscal year. This resolution transfers funds within budget line items to fund appropriations where we have incurred expenditures greater than anticipated.

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

6. RESOLUTION AUTHORIZING SPECIAL ITEM OF REVENUE AND APPROPRIATION. PURSUANT TO N.J.S. 40A:87 (CHAPTER 159, P.L. 1948)

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

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

WHEREAS, the Township has received \$18,050.00 in additional grants from various sources for the year 2013 and wishes to amend its 2013 Budget to include these grants.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hillsborough hereby requests the Director of the Division of Local Government Services to approve the insertion of these items of revenue in the budget of the year 2013 in the amounts listed and detailed below, which items are now available as revenues from:

**NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF HIGHWAY TRAFFIC SAFETY
CHILD PASSENGER SAFETY
\$950.00**

**SUSTAINABLE NEW JERSEY - NJLM
CAPACITY BUILDING GRANT**

\$2,000.00

**SUSTAINABLE SMALL GRANT
\$8,250.00**

**COUNTY OF SOMERSET
MYSC YOUTH SERVICES GRANTS
\$6,850.00**

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

Mayor DelCore stated that a resolution is required to insert funds from grants that were not anticipated when the budget was adopted. The grants included in this resolution are the NJ Department of Law and Public Safety Division of Highway Traffic Safety Child Passenger Safety, Sustainable New Jersey, Sustainable Small Grant and the County of Somerset Youth Services Grant. As always, Hillsborough Township welcomes grant funds into our municipal budget.

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

CONSENT

1. RESOLUTION APPROVING THE REQUEST FROM HILLSBOROUGH ESTATES FOR THE RELEASE OF TREE MITIGATION FUNDS, IN THE AMOUNT OF \$15,000.00.

WHEREAS, a request has been received from Hillsborough Estates for the release of Tree Mitigation Funds for completion of additional landscaping; 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 the \$15,000.00 Tree Mitigation Funds.

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.

2. RESOLUTION APPROVING THE REQUEST FROM JOSEPH AND LIVIA PITERA FOR RELEASE OF DEVELOPMENT REVIEW ESCROW IN THE AMOUNT OF \$859.48.

WHEREAS, a request has been received from Joseph and Livia Pitera for the release of Development Review Escrow; and

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

WHEREAS, the Hillsborough Township Deputy Director of Planning recommends that the Township Committee take action to release the \$859.48 Development Review Escrow because the work has been completed.

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

3. RESOLUTION APPROVING THE REQUEST FROM PLEASANT VIEW ESTATES I & II FOR THE RELEASE OF CASH ESCROWS FOR WINTER CERTIFICATES OF OCCUPANCY FOR BLOCK 180.02, LOTS 5, 7, 11 AND 12, BLOCK 180.03, LOTS 4, 5, 6, 7, 8, 11, 13 AND 14, BLOCK 180.05, LOTS 6, 7 AND 11, BLOCK 180.09, LOTS 2, 3, 5, 6, 9, 10, 12, 13, 14 AND 18, IN THE AMOUNT OF \$34,000.00.

WHEREAS, a request has been received from Pleasant View Estates I & II for the release of cash escrow for Winter Certificates of Occupancy retained to guarantee completion of site work for Block 180.02, Lots 5, 7, 11 and 12, Block 180.03, Lots 4, 5, 6, 7, 8, 11, 13 and 14, Block 180.05, Lots 6, 7 and 11, Block 180.09, Lots 2, 3, 5, 6, 9, 10, 12, 13, 14 and 18; 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 the \$34,000.00 cash escrow.

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

4. RESOLUTION AUTHORIZING THE TOWNSHIP ATTORNEY TO ENTER INTO A STIPULATION OF SETTLEMENT RELATIVE TO THE TAX APPEALS CAPTIONED AMWELL MALL ASSOCIATION, LLC VS HILLSBOROUGH TOWNSHIP, TAX COURT OF NEW JERSEY, DOCKET NOS. 007257-2011, 003348-2012 AND 003903-2013.

WHEREAS, Amwell Mall Assoc., L.L.C. (“Taxpayer”), the owner of Block 178, Lot 12.01 on the Township Tax Assessment Maps, commonly known as 450 Amwell Road (the “Property”), filed an Appeal of its 2011, 2012 and 2013 tax assessments in the Tax Court of New Jersey, Docket Nos. 007257-2011, 003348-2012 and 003903-2013; and

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

WHEREAS, acceptable settlements of the aforesaid tax appeals have been negotiated which settlement results in an affirmation of both the 2011 and the 2012 total tax assessment of \$5,425,000; and

WHEREAS, the settlements also result in a reduction to the 2013 total tax assessment from \$5,425,000.00 to a total tax assessment of \$4,500,000.00; and

WHEREAS, statutory interest is waived by the Taxpayer and will not be paid to the Taxpayer, and the Tax Collector may adjust any taxes by credits in lieu of refunds; and

WHEREAS, the settlement also results in a prospective adjustment of the 2014 tax assessment on the property to be set by the Tax Assessor at \$4,300,000, subject to there being “no change in value” (as that phrase has been interpreted under the Freeze Act) of the property before the Assessor closes her books, no taxable additions or improvements, no casualty, fire or demolition; which settlement is also conditioned upon the fact that the subject property will not be sold at a higher market value before the books are closed and that no such sale is currently pending or anticipated by the Taxpayer, in addition, the Taxpayer, its successors and assigns agree not to file a 2014 tax appeal if the assessment is set at \$4,300,000; and

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

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

WHEREAS, the Township will make this settlement with Amwell Mall Assoc. LLC without prejudice to its dealings with any other Township taxpayer’s request for tax assessment reduction; and

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

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

1. The Township Attorney is hereby authorized to execute the attached Stipulation of Settlement relative to the tax appeals of Amwell Mall Assoc. L.L.C., Docket Nos.: 007257-2011, 003348-2012, and 003903-2013; which settlement affirms the 2011 and 2012 assessments; which further results in a reduction of the 2013 tax assessment from a total tax assessment of \$5,425,000.00 to a reduced total tax assessment of \$4,500,000.00; which further provides that the taxpayer waives interest on any refunds due to the Taxpayer and authorized the Tax Collector to adjust by waiver of credit in lieu of refunds; which further provides that the 2014 assessments will be set by the Tax Assessor at \$4,300,000 subject to there being “no change in value” of the Property (as that phrase has been defined and interpreted under the Freeze Act), and subject to there being no sale of the Property for more than the proposed assessment; which further provides that the Taxpayer, its successors, assigns and any parties in interest waive the right to appeal the 2014 tax assessments, if adjusted as agreed, all as more specifically set forth in the Stipulation of Settlement.

2. The settlement outlined above shall be without prejudice to Hillsborough Township's dealings with any other Township taxpayers' request for tax assessment reductions.

3. The Tax Assessor is directed to allocate the reduction in assessments for 2013 and 2014 between land and improvements in a manner which is in the best interests of the Township of Hillsborough.

5. RESOLUTION GRANTING PERMANENT EMPLOYEE STATUS TO MICHAEL STROTHERS AND DAVE ABRUZZI, EFFECTIVE OCTOBER 29, 2013.

WHEREAS, Michael Strothers and Dave Abruzzi were hired as Public Works Worker I in the Department of Public Works on April 29, 2013; and

WHEREAS, the Director of Public works certifies that Mr. Strothers and Mr. Abruzzi have performed their duties and assignments in a capable and competent manner; and

WHEREAS, having qualified for regular employee status during the six-month probationary period, the Director of Public Works recommends that regular employee status be conferred upon Mr. Strothers and Mr. Abruzzi effective October 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 recommendations of Director of Public Works be and hereby are accepted and approved.

6. RESOLUTION GRANTING PERMANENT EMPLOYEE STATUS TO KATE RAINEY, SECRETARY TO DPW/PARKS, EFFECTIVE NOVEMBER 5, 2013.

WHEREAS, Kate Rainey was hired as Secretary to Public Works/Parks in the Department of Public Works, on August 5, 2013; and

WHEREAS, the Director of Public Works certifies that Ms. Rainey has performed her duties and assignments in a capable and competent manner; and

WHEREAS, having qualified for regular employee status during the three-month probationary period, the Director of Public Works recommends that regular employee status be conferred upon Ms. Rainey, effective November 5, 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 Director of Public Works be and hereby is accepted and approved

7. RESOLUTION GRANTING PERMANENT EMPLOYEE STATUS TO NICHOLAS SALEEBA, POLICE RECORDS CLERK, EFFECTIVE OCTOBER 29, 2013.

WHEREAS, Nicholas Saleeba was hired as Police Records Clerk in the Police Department on July 29, 2013; and

WHEREAS, the Chief of Police certifies that Mr. Saleeba has performed his duties and assignments in a capable and competent manner; and

WHEREAS, having qualified for regular employee status during the three-month probationary period, the Chief of Police recommends that regular employee status be conferred upon Mr. Saleeba, effective October 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 Chief of Police be and hereby is accepted and approved.

8. RESOLUTION APPROVING THE REQUEST FROM HERCULES ENTERPRISES, LLC (COPART) FOR RELEASE OF DEVELOPMENT REVIEW ESCROW IN THE AMOUNT OF \$6,606.71.

WHEREAS, a request has been received from Hercules Enterprises, LLC (Copart) for the release of Development Review Escrow; and

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

WHEREAS, the Hillsborough Township Deputy Director of Planning recommends that the Township Committee take action to release the \$6,606.71 Development Review Escrow because the work has been completed.

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

9. RESOLUTION APPROVING THE REQUEST FROM SPRINT SPECTRUM FOR RELEASE OF DEVELOPMENT REVIEW ESCROW IN THE AMOUNT OF \$184.238.

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

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

WHEREAS, the Hillsborough Township Deputy Director of Planning recommends that the Township Committee take action to release the \$184.38 Development Review Escrow because the work has been completed.

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

10. RESOLUTION AUTHORIZING THE FOLLOWING ACTIONS FOR HILLSBOROUGH ESTATES: ACCEPTING MAINTENANCE BOND NO. FP0020830 FROM FIRST INDEMNITY OF AMERICA INSURANCE COMPANY, IN THE AMOUNT OF \$71,774.00; RELEASING PERFORMANCE BOND NO. FP0015386; RELEASING THE CASH BOND, IN THE AMOUNT OF \$23,324.05 AND ACCEPTING THE PROJECT INCLUDING THE PUBLIC ROADS.

WHEREAS, a request has been received from Hillsborough Estates for the acceptance of Maintenance Bond No. FP0020830 from First Indemnity of America Insurance Company in the amount of \$71,774.00, releasing

Performance Bond No. FP0015386 in its entirety, and releasing the cash bond, in the amount of \$23,324.05, and any accrued interest, all Open Space lots within the development are dedicated to the Homeowner's Association, various drainage/conservation easements are dedicated to the Township and accepting the project, including the following roadway into the public roadway system:

1. North View Drive (approximately 800' – extension of existing roadway)

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 accept the Maintenance Bond, release of the Performance Bonds, release the Cash Bond and accept the project, including the listed roadway into the public roadway system.

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.

11. RESOLUTION AUTHORIZING THE TRANSFER OF \$11,302.26, EARNED AMOUNTS, 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 \$11,302.26 should be transferred from Engineering inspection escrow accounts into the Treasurer's Account as indicated; and

WHEREAS, each of the project line items has been verified against the Treasurer's Office account records through October 25, 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 \$11,302.26 is to be transferred from the Engineering Escrow Accounts into the Treasurers Account.

<u>Client</u>	<u>Number</u>	<u>Transfer Amount</u>
Accredited Dermatology	594	-2,396.88
CC @ Belle Mead	579	-183.70
CoParts 2012	586	-186.66
Country Classics – 3D	559	-471.10
Country Classics – 4B	589	-2,063.06
Gateway@Sunnymeade	472	-915.54
Hidden Brook Estates	603	-41.48
Hillsborough Estates	539	-474.08
Loniewski	606	-66.58
PLEABEAZIN	477	-1,531.34
Pleasant View Estates III	490	-1,411.96
Road opening 2012 Gateway	590	62.22
Senior Living Solutions	558	-222.22
Tennis Plus	584	-1,208.86
Wiseman (Hills. Realty)	495	-66.58
Grand Total		\$-11,302.26

12. RESOLUTION APPROVING REQUEST FROM THE HIDDEN HILLS FARM FOR THE WAIVER OF PERMIT FEES FOR BUILDING PERMITS IN CONNECTION WITH THE CONSTRUCTION OF A MANURE BIN.

WHEREAS, Hidden Hills Farm has requested that the permit fees for the Building Department permits for the construction of manure bin 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 fees for Building Department permits in connection with the construction of a manure bin, be and are hereby waived.

13. RESOLUTION AUTHORIZING REFUND OF TAX OVER PAYMENTS IN THE AMOUNT OF \$2,779.47.

WHEREAS, real property tax payers overpaid their real property taxes and;

WHEREAS, the Tax Collector has received proof of such payments after correspondence with said property owners;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee, of the Township of Hillsborough, County of Somerset, State of New Jersey, the Tax Collector is hereby authorized to refund said amounts to the property owners; Total, \$2,779.47, properties, 2.

Block	Lot	Name	Amount	Qtr	Year
142.01	2	Statebridge Co LLC	2,529.47	3 rd	2013
151.20	20.01 Condo	Dmuchowski, Lawrence R Jr	250.00	4 th	2013

Committeewoman McCauley and Mayor DelCore congratulated the employees who received permit status. Upon motion by Deputy Mayor Tomson, seconded by Committeeman Burchette, the consent agenda was unanimously approved upon call of the roll.

CLAIMS LISTS

Mayor DelCore presented Claims Lists 2013-20.

Upon motion by Deputy Mayor Tomson, seconded by Committeeman Burchette, Claims List 2013-20 was unanimously approved upon call of the roll.

EXECUTIVE SESSION RESOLUTION

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

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

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

1. The public shall be excluded from discussion of the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

a. Property Acquisition:

i. Zilic Property, Block 169, Lot 5.06

b. Attorney Client Privilege

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

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

ADJOURNMENT

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

Attested:

Pamela Borek
Township Clerk