

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 May 22, 2018.

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

SALUTE TO THE FLAG

Mayor McCauley advised that in accordance of section 5 of the Open Public Meetings Act, Chapter 231, of the Public Laws of 1975 that notice of this meeting was made by the posting on the bulletin board at the Hillsborough Township Municipal Complex and notifying the officially designated newspapers that this meeting would take place at the Hillsborough Township Municipal Complex at 7:30 p.m. on May 22, 2018.

APPROVAL OF MINUTES

- *Approval of the May 8, 2018 Regular Session Meeting Minutes*

Upon a motion by Committeeman Burchette, seconded by Committeeman Suraci, the minutes of the May 8, 2018 Regular Session were approved upon the call of the roll.

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

Committeeman Burchette

Committeeman Burchette announced the next Hillsborough Business Association Business Social will be Tuesday, July 31st at Roycebrook Golf Club from 6:00 PM to 9:00 PM. Details to purchase tickets will be out soon through the HBA e-News. To sign up for the HBA e-News, go to Hillsboroughbusiness.org.

Committeeman Burchette stated on Tuesday, June 5th there will be a presentation of “Hiding in Plain Sight” at the Auten Road School to assist parents in looking for clues that might be an indication of drug or alcohol use.

Committeeman Burchette stated June begins hurricane season and recommended residents check out the enews for tips on hurricane preparedness.

Committeeman DelCore

Committeeman DelCore reminded residents that the Annual Green Living and Wellness Fair will be held on Saturday, June 2nd in conjunction with the YMCA Hillsborough Hop 5K. Check out the enews for all the details about the day’s events as well as the poster contest. In addition to the skin cancer screenings, there will also be other health tests such as blood pressure and blood sugar. Medical information and demonstrations will be provided as well. To register for skin cancer screening, please visit the Health

Department site on the Hillsborough Township web page, or click the link to the registration page in the article that will appear in the Mayor's Email, or call the Health Department at 908-369-5652.

Committeeman DelCore advised blood supply runs low in the summer due to fewer available donors. Please consider giving blood at the wellness fair. This donation will be used at the Robert Wood Johnson Barnabas Somerset Hospital in Somerville.

Committeeman DelCore reminded veterans there is still time left to register for the 2018 Veterans Breakfast held at 7:30AM on Saturday, May 26th. Call or stop by the recreation office to register.

Committeeman DelCore reported there is still time to sign up for the summer leagues and camps. Great options are currently available such as summer day camps, summer sports camp, boys and girls Ann Van Basketball league and more.

Committeeman Suraci

Committeeman Suraci stated there have been some changes enacted and mandated by the Department of Community Affairs. Requirements for roofing permits have been one of the major changes. Single Family Detached Dwellings do not require a permit for roof tear off. A detached dwelling is a home that stands on its own and not connected to any other homes. A roof overlay does require a permit. Single Family Attached Dwellings (Attached - i.e. Townhouse or Duplex) still require a permit for roof tear off or roof overlay. An attached dwelling is a townhouse or duplex.

Committeeman Suraci stated any other structures not attached to a home, such as a detached garage or barn still require a permit for roofing. Contact the Building Department with any questions.

Committeeman Suraci advised as of May 7th, the Building Department is integrating a brand new, cloud based, computer system, called GovPilot. Please be patient during this time of transition as the Building Department is working diligently to continue their highest level of customer service. The GovPilot team is working closely with the department during this time to adjust the system as needed.

Committeeman Suraci reported "The Power of Public Works" is the theme for the 2018 National Public Works Week poster which gives voice to the impact that many facets of public works have on modern civilization. From providing clean water, to disposing of solid waste, to building roads and bridges or planning for and implementing mass transit, to removing snow on roadways, or devising emergency management strategies to meet natural or man made disasters, public works services determine a society's quality of life.

Committeeman Suraci noted the Engineering Department is advising residents to be cautious about accepting soil for their property. Some residents have accepted soil from locations, which could possibly contain debris, rubble or other contaminants. In one case, a resident accepted "free" soil which ended up being contaminated material. The homeowner had to pay to have the soil removed and afterwards learned the soil was from a construction site. The free soil turned out to be a very expensive undertaking.

Committeeman Suraci stated Hillsborough Township has a Soil Permit Ordinance designed to protect residents against such occurrences. It prohibits the importation of soil without first obtaining approval from the Engineering Department. Prior to removing or accepting solid, dirt or other fill material, be sure to contact the Engineering Department to advise and obtain the proper permit. The Hillsborough Engineering Office can be reached at 908-369-4460.

Deputy Mayor Tomson

Deputy Mayor Tomson advised that residents who have Special Assessment payments due on June 1st can now save time and postage by paying on the Hillsborough Township website www.hillsborough-nj.org. This is a free service that allows a one time payment to be taken directly from a resident's checking account.

Deputy Mayor Tomson announced the Primary Election is June 5th. Polls are open from 6 am until 8 pm. Please be sure to refer to the ballot for polling locations.

Mayor McCauley

Mayor McCauley stated the Woman's Club of Hillsborough is a member of the New Jersey State Federation of Women's Clubs. The NJFSWC has a special state project every two years. For the past two years, the state project has been Prevent Child Abuse, NJ. The materials for the state project are blue/silver pinwheels which represent a commitment to great childhoods; happy and safe for all children in the community. The Woman's Club of Hillsborough will plant a pinwheel garden for the Memorial Day Parade on May 26th at the Peter Biondi Municipal Building. This will serve as a positive reminder that all children deserve to be happy and safe. Mayor McCauley urged all citizens to engage in activities that strengthen families and communities to provide the optimal environment for children to learn, grow and thrive so that all children have the benefit of happy, healthy, and safe childhoods.

Mayor McCauley stated the dedication of Lance Corporal James E. Langdon Way will be held on June 13th at 6:30pm in the Garden of Honor. Lance Corporal James Langdon, a Hillsborough High School graduate, was killed in 1983 in Beirut during a peacekeeping mission.

Mayor McCauley reported the Township is collecting scenic photos for the 2019 Town Planner Calendar. Please submit high resolution images to the Township Clerk at pborek@hillsborough-nj.org. The 2018 contributors will be recognized at an upcoming meeting.

PROCLAMATIONS/PRESENTATIONS/APPOINTMENTS

PROCLAMATIONS / APPOINTMENTS

- *Proclamation honoring Brynne Briegs Gold Award*

WHEREAS, *Brynne Briegs, a senior at Hillsborough High School, and member of Girl Scout Troop 60261, has earned her Gold Award; and*

WHEREAS, *we, the Hillsborough Township Committee, recognize the many hours Brynne devoted towards earning her Girl Scout Gold Award, working with diligence in order to achieve this highly coveted recognition; and*

WHEREAS, Brynne's Gold Award project involved creating a pollinator garden at the Municipal Building to enable pollinators, such as Monarch butterflies, a place to lay their eggs and also to educate the community on garden options. In addition to building the garden, Brynne hosted a planting day for younger Girl Scouts and made several public presentations on the topic of pollinators; and

WHEREAS, Brynne is a member of the National Honor Society and is on the executive board of the National Tri-M Music Honor Society. She is involved in the Hillsborough High School Wind Ensemble. Brynne is headed to the University of Connecticut in the fall to study Cognitive Science; and

WHEREAS, Brynne serves as an example to the youth of Hillsborough Township through her achievements, leadership, and community service, and we are very proud that Brynne is a member of our community.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby recognize and extend our sincere congratulations to Brynne for having earned her Girl Scout Gold Award, an honor for both her and for those who have guided her, and we wish her all the best in her future endeavors.

- Proclamation honoring Doris Levine, Instructional Assistant, Hillsborough Middle School Teacher of the Year

WHEREAS, Doris Levine, an Instructional Assistant at Hillsborough Middle School, has received the honor of being named as Hillsborough Middle School's Educational Services Professional of the Year for 2018 because of her dedication and service to the Hillsborough School District; and

WHEREAS, Doris Levine has been a member of the Hillsborough School District faculty since 2004; and

WHEREAS, Doris Levine provides individualized extraordinary support for students with special needs. She served as the first transcription specialist captioning classes for students with severe hearing impairments and currently creates prevocational materials to support the Moderate LLD and Autism classes with the Work Readiness Program; and

WHEREAS, Hillsborough Middle School is proud to have Doris Levine as their Educational Services Professional of the Year.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Township Committee of Hillsborough, further commend Doris Levine for being recognized as Hillsborough Middle School's Educational Services Professional of the Year and we thank her for all her work and dedication to the youth of Hillsborough.

PRESENTATIONS

- Certificate presentation for the REACH interns

Township Administrator Anthony Ferrera stated every year the Hillsborough High School REACH program provides interns for the various departments in the Municipal Township. The interns allow the

Township to accomplish projects that otherwise would not be accomplished. The internships prepare the students for college and interaction within the business community.

Mayor McCauley thanked the interns for all their work.

APPOINTMENTS

1. RESOLUTION AUTHORIZING THE HIRING OF PATRICK FARRELL AND JACOB LAWRENCE AS POLICE OFFICERS IN THE HILLSBOROUGH TOWNSHIP POLICE DEPARTMENT

WHEREAS, there exists two (2) vacancies in the position of Police Officer in the Hillsborough Township 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 Patrick Farrell and Jacob Lawrence be hired as Police Officers in the Hillsborough Township Police Department at an annual salary of \$48,457.00, effective on May 23, 2018.

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

Mayor McCauley stated this resolution fills vacancies in the Police Department.

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

PRESENTATION

- *Hillsborough Township Board of Education - Budget Presentation by Dr. Schiff*

Committeeman Tomson inquired as to the current enrollment and trend going forward. Dr. Schiff stated enrollment is approximately 7400 and is expected to increase 4% over the next 5 years.

Committeeman DelCore inquired as to the salary increase impact and other impacts on the budget. Dr. Schiff stated there was an overall 2% increase in salaries. The biggest driver of increases in the budget was healthcare costs.

Committeeman DelCore asked about additional security measures that will be taken. Dr. Schiff thanked Chief Powell for his collaboration and noted additional regular daily patrols have been added to the schools and are fostering a sense a community with the police. In addition, Hillsborough will be participating in a school threat assessment with several local, state and federal agencies.

Committeeman Suraci asked if there were any new State mandates. Dr. Schiff responded that carbon monoxide detectors are now required in all public schools.

NEW BUSINESS

- *None*

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

- None

PUBLIC HEARINGS

2018-05 ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY, AMENDING CHAPTER 188 “LAND USE AND DEVELOPMENT”, ARTICLE V “DISTRICTS AND STANDARDS”, SECTION 188-113.5 “TC TOWN CENTER DISTRICT” OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Chapter 188 “Land Use and Development”, Article V “Districts and Standards”, Section 188-113.5 “TC Town Center District”, of the Code of the Township of Hillsborough, is hereby amended as follows:

Section 1.

B. Permitted principal uses.

(19) Residential uses.

- (d) The maximum number of permitted residential flats or lofts in the Town Center District, which may only be calculated for an existing building to be converted into a mixed-use building that is fully conforming with all requirements of the Town Center District, or for any fully conforming new mixed-use building to be constructed, and is intended as an incentive to complement and enhance development in Town Center, shall be one dwelling unit for each 1,000 square feet of nonresidential gross floor area except as provided for in subsections D(3) and K below. All residential flats or lofts must be provided in the same mixed-use building that is used to determine the permitted number of residential flats or lofts in the Town Center District, as indicated above.

C. Accessory uses and structures.

(16) Community recreational facilities for the use of residents and their guests.

D. Conditional uses.

(3) A single-use multifamily building constructed as part of an existing shopping center as identified in section B.19 above in accordance with the following conditions.

(a) There shall be a minimum of 90,000 square feet of existing retail/commercial space in the shopping center at the time of application to the planning board, which shall not be reduced to less than 86,000 square feet following the construction of the multifamily building.

(b) The single-use multifamily building shall be located to the rear of or in line with an existing mixed-use or retail/commercial building on the tract regardless of the existing front yard setback. In no case shall a single-use multifamily building front on either Route 206 or Amwell Road.

(c) The maximum number of dwelling units in the multifamily building shall be 44.

(d) A minimum of 25% of the total number of residential units on the tract shall be low and moderate income units in accordance with applicable affordable housing regulations, including but not limited to Article VII of this Chapter.

(e) The single-use multifamily building shall be designed as an integral component of the shopping center with pedestrian connections, green areas, and plazas providing direct access to the retail/commercial uses.

(f) The single-use multifamily building shall otherwise conform to all other applicable TC standards.

F. Parking requirements.

(2)

(g) Residential [~~at two spaces per dwelling unit, unless otherwise indicated herein~~] in accordance with the Residential Site Improvement Standards.

G. Supplemental regulations.

(5) Site design.

(g) The layout of nonresidential [~~and~~], mixed-use, and residential buildings and parking areas shall be designed so as to provide an aesthetically pleasing and efficient arrangement.

I. Green technology requirements.

(1) All new development located within the Town Center District, except for additions which are 50% or less than the existing gross floor area, shall demonstrate with appropriate documentation that the development will meet a minimum LEED certification rating under the LEED or equivalent Rating System [~~and be so certified by the USGBC or equivalent~~] to the satisfaction of the Hillsborough Township Planning and Zoning Department.

New Section

K. Mixed-Use Inclusionary Overlay District

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

(a) The purpose of the Mixed-Use Inclusionary Overlay District is to provide an incentive for the construction of affordable multifamily housing in the Town Center District as part of the Township's fair share housing plan for meeting the region's low and moderate-income housing needs.

(b) This overlay district applies to the following properties: Block 178; Lots 4, 5, 6, 7, 8, 9, 10, and 11 on the Hillsborough Township Tax Map, which must be planned and developed as a single tract to qualify for the overlay option. For the purposes of this section a "tract" is defined as

an area of land comprised of one or more adjacent lots which together have sufficient dimension and area to make one parcel of land meeting the requirements of this section for the uses intended.

(c) A minimum of 24% of the total number of residential units shall be low-and moderate-income units in accordance with applicable affordable housing regulations, including but not limited to Article VII of this Chapter; but in no case shall there be less than 46 low-and moderate-income units provided on the tract regardless of the total number of units constructed.

(2) Permitted principal uses in the overlay district. In addition to principal uses permitted in the underlying Town Center District, single-use multifamily dwellings constructed as part of a planned mixed-use inclusionary development on a single tract in accordance with the following standards.

(a) The minimum tract size shall be 8.5 acres with a minimum frontage of 790 feet on Route 206.

(b) There shall be a minimum of 28,000 square feet of retail space located in mixed-use buildings fronting on Route 206 that are fully conforming to Town Center bulk and design standards unless otherwise stated in this section. The mixed-use buildings shall be included in the first phase of the development on the tract.

(c) All single-use multifamily buildings shall be located to the rear of the mixed-use buildings and establish a clear internal village community with the majority of such structures fronting on green areas or plazas. In no case shall any single-use multifamily building front on either Route 206 or Amwell Road.

(d) The maximum number of dwelling units on the tract shall be 191 with at least 37% of those units located on the upper floors of mixed-use buildings. The maximum number of dwelling units in any single-use multifamily building shall be 15. The minimum number of dwelling units in a mixed-use building shall be 2.3 units per 1,000 square feet of retail space on the ground floor. The maximum number of dwelling units in a mixed-use building shall be 2.6 dwelling units per 1,000 square feet of retail space on the ground floor.

(e) The overall development shall otherwise conform to all other applicable TC standards.

(3) Permitted accessory uses and structures. In addition to accessory uses and structures permitted in the underlying Town Center District, community recreational facilities for the use of residents and their guests.

Section 2. This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning, and land use regulations. All other ordinances or other local requirements that are inconsistent or in conflict with this Ordinance are hereby repealed to the extent of any inconsistency or conflict, and the provisions of this Ordinance shall apply.

Section 3. If any provisions of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable therefrom.

Section 4. After introduction, the Township Clerk is hereby directed to provide a copy of the within Ordinance to the Planning Board of the Township of Hillsborough for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A.40:55D-64. The Planning Board is directed to make and transmit to the Township Committee within 35 days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 5. After introduction, the Township Clerk is hereby directed to provide by personal service or certified and regular mail, at least 10 days prior to the scheduled hearing, a copy of this Ordinance and a Notice of Hearing in accordance with N.J.S.A. 40:55D-62.1 to: (1) the owners of the properties affected by this Ordinance; (2) the owners of all properties within 200 feet of the boundaries of the affected properties; (3) the Office of Planning Advocacy; and (5) any military facility commander who has registered with the municipality.

Section 6. After introduction, the Township Clerk is hereby directed to provide by personal service, certified mail or email with confirmation that the email was delivered, at least 10 days prior to the scheduled hearing, a copy of this Ordinance and a Notice of Hearing in accordance with N.J.S.A. 40:55D-15 to: (1) the clerk of any adjoining municipalities located within 200 feet of the boundaries of the affected properties; and (2) the County Planning Board.

Section 7. This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Mayor McCauley stated the proposed ordinance would amend the Town Center district to add single-use multifamily residential buildings to the list of permitted uses but only when constructed as part of a mixed-use development. This would be accomplished through the creation of an overlay district within the Town Center zone and the addition of a new conditional use within existing major shopping centers.

Upon motion by Committeeman Burchette, seconded by Committeeman Suraci, to open the public hearing on Ordinance 2018-05, the motion was unanimously approved upon call of the role.

Planning and Zoning Director David Maski stated the ordinance provides for a single use multi-family dwelling as a permitted conditional use in a shopping center and provides for a mixed use inclusionary overlay district fronting Route 206.

Committeeman DelCore clarified the ordinance is identifying how the units can be placed. Planning and Zoning Director Maski agreed.

Diane Morrison, 64 Gabriel Court, stated she is concerned and confused by the additional homes planned in the Town Center and the resulting increase in traffic. Mayor McCauley clarified this is not a rezoning. Committeeman DelCore explained while there will be additional people the bypass is intended to relieve the commuter traffic. Committeeman Tomson stated it is the inaction of the State Legislature on affordable housing that is leading to additional housing. He urged residents to call State leaders on this issue.

Upon motion by Deputy Mayor Tomson, seconded by Committeeman Burchette, to close the public hearing and adopt Ordinance 2018-05, the motion was unanimously approved upon call of the role.

INTRODUCTION OF NEW ORDINANCES

2018-07 AN ORDINANCE AMENDING CHAPTER 172 OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, TITLED “FLOOD DAMAGE PREVENTION”

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

Chapter 172 of the Code of the Township of Hillsborough, titled “Flood Damage Prevention”, be amended by replacing the term “Building Inspector” with “Engineering/Zoning Department” in the following sections:

- 172-5, paragraph 4
- 172-12, paragraph 1
- 172-13, paragraph 1
- 172-14, paragraph 1
- 172-15, section A (6).

This Ordinance shall take effect immediately upon final passage and publication according to law.

Mayor McCauley stated this ordinance addresses clarification of language.

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

Laslo Herman, 672 Route 206, stated he has had problems with flooding on his property for 40 years and wants to know if the ordinance will be changed to include anything to help him. Township Planner Dave Maski stated the Township has spent alot of time addressing storm drainage issues on Mr. Herman’s property and has done everything possible to mitigate the flooding. Mayor McCauley stated the change in the ordinance is merely clarifying language as to which department is responsible.

2018-08 AN ORDINANCE AMENDING CHAPTER 166 “FIRE PREVENTION”, SECTIONS §166-14 “PERMIT FEES”AND §166-15 “CERTIFICATE OF SMOKE DETECTOR AND CARBON MONOXIDE COMPLIANCE (CSDCMAC)” OF THE TOWNSHIP CODE OF TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY

WHEREAS, the Hillsborough Board of Fire Commissioners authorized the amendment of the specific fees set forth in Sections §166-14 and §166-15 of the Township Code of the Township of Hillsborough; and

WHEREAS, such amendments to the Township Code of the Township of Hillsborough are to be effectuated by ordinance adopted by the Hillsborough Township Committee; and

WHEREAS, the Chief Fire Marshal has requested the Township Committee to adopt an ordinance authorizing the amendments to Sections §166-14 and §166-15 of the Township Code of the Township of Hillsborough as authorized by the Hillsborough Board of Fire Commissioners; and

WHEREAS, the Township Committee of the Township of Hillsborough seeks to authorize the amendments to Sections §166-14 and §166-15 of the Township Code of the Township of Hillsborough as authorized by the Hillsborough Board of Fire Commissioners and requested by the Chief Fire Marshal; and

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

Section 1. Chapter 166 “Fire Prevention”, Sections §166-14 “Permit fees” and §166-15 “Certificate of smoke detector and carbon monoxide compliance (CSDCMAC)” of the Township Code of the Township of Hillsborough is hereby amended and replaced as follows:

§ 166-14. Permit fees.

The application fee for a permit shall be as follows:

Type	Fee
Type I	\$80.00
Type II	\$215.00
Type III	\$430.00
Type IV	\$640.00
Type V	\$25.00 per job site

§ 166-15. Certificate of smoke alarm, carbon monoxide alarm and portable fire extinguisher compliance (CSACMAPFEC).

A. Before any one or two family or attached single family dwelling is sold, leased or otherwise made subject to a change of occupancy for residential purposes, the owner shall obtain a certificate of smoke alarm and carbon monoxide alarm and portable fire extinguisher compliance (CSACMAPFEC) evidencing compliance with N.J.A.C. 5:70-4.19, 5:57-2.3 and 5:70-3 et seq.

B. The owner or the authorized agent of the owner shall apply for a CSACMAPFEC on a form provided by the Hillsborough Bureau of Fire Safety. The application shall be accompanied by the required fee as outlined below:

(1) Request for a CSACMAPFEC received more than ten (10) business days prior to the change of occupant: \$50

(2) Request for a CSACMAPFEC received four (4) business days to ten (10) business days prior to change of occupant: \$90.

(3) Request for a CSACMAPFEC received fewer than four (4) business days prior to the change of occupant: \$160.

C. The required fee allows for the initial inspection and one reinspection. An additional fee of \$35 is required for any additional reinspections.

D. In other than one and two family or attached single family dwellings, each individual dwelling unit shall have a smoke alarm and carbon monoxide alarm inspection a minimum of once every five years. Location, type and number of smoke alarms and carbon monoxide alarms shall be in compliance with N.J.A.C. 5:70-4.19. The fee for this inspection shall be \$50.00 per dwelling unit.

Section 2. If any provisions of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable therefrom.

Section 3. This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Committeeman Suraci stated the changes to the ordinance are both in verbiage and fee changes. There have not been changes or updated in over 12 years. The only fee raised above the state fee schedule is the type 1 permit from \$60 to \$80. The second area of fee change is for the Certificate of Smoke Alarm Compliance although the most common fee of \$50 was not changed. Other fees were changed to match the NJ State fees. Also the Hillsborough permit allows up to 3 re-inspections without an additional fee, unlike many towns which charge a new fee each time.

Committeeman Tomson stated he disagrees with the requirement to have a fire extinguisher in the kitchen, as it runs counter to the advice that everyone should immediately leave a house on fire and leave the firefighting to the professionals.

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

CONSIDERATIONS

2. RESOLUTION AUTHORIZING THE HIRING OF JAY WINTERS AND JEFFREY VILLEGAS TO THE POSITIONS OF PUBLIC WORKS WORKER I, IN THE TOWNSHIP OF HILLSBOROUGH DEPARTMENT OF PUBLIC WORKS, EFFECTIVE MAY 23, 2018, AT A SALARY OF \$33,063.00 PER YEAR

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

WHEREAS, the Director of Public Works recommends the hiring of Jay Winters and Jeffrey Villegas, to the position of Public Works Worker I, effective May 23, 2018, at an annual salary of \$33,063.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Director of Public Works is authorized to hire Jay Winters and Jeffrey Villegas, to the position of Public Works Worker I, effective May 23, 2018, at an annual salary of \$33,063.00.

Mayor McCauley stated there exists vacancies in the Department of Public Works, these hirings fill those vacancies.

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

Township Administrator Anthony Ferrera stated both new candidates have great background experience and will be a great addition to the team.

3. RESOLUTION AUTHORIZING THE HIRING OF SUMMER EMPLOYEES CHANOND NUALPLUB AND NICK DIGIROLAMO FOR THE DEPARTMENT OF

PUBLIC WORKS AT A RATE OF \$10.00 PER HOUR, FUNDED THROUGH THE CLEAN COMMUNITIES GRANT

WHEREAS, there is a need for temporary summer employment in the Department of Public Works in the Township of Hillsborough; and

WHEREAS, the Township of Hillsborough received Clean Communities Grant Funding, with said monies to be used to cover the cost of the summer help in the Department of Public Works; and

WHEREAS, the Director of Parks has recommended the appointment of Chanond Nualplub and Nick DiGirolamo as summer employees in the Department of Public Works, with a start date of May 23, 2018, for a period of up to sixteen weeks, 40 hours per week at a rate of \$10.00 per hour.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that Chanond Nualplub and Nick DiGirolamo be hired for the Department of Public Works effective May 23, 2018, at a rate of \$10.00 per hour, funded through the Clean Communities Grant.

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

4. RESOLUTION AWARDING A CONTRACT FOR “2018 CAPITAL ROADWAY RESURFACING” OF NEW AMWELL ROAD - SECTIONS 2 & 3 TO TOP LINE CONSTRUCTION CORPORATION IN AN AMOUNT NOT TO EXCEED \$946,518.55

WHEREAS, it has determined that there is a need for roadway resurfacing; and

WHEREAS, sealed bids were opened and read on May 3, 2018 at 10:30 a.m., which was the time and place provided for in the Notice to Bidders entitled “2018 Capital Roadway Resurfacing” of New Amwell Road - Sections 2 & 3, in accordance with the Local Public Contracts Law; and

WHEREAS, the Township received four (4) bids with the lowest bid from Top Line Construction Corporation located in Somerville, New Jersey; and

WHEREAS, the specifications provide that the award of the contract shall be made to the lowest responsible bidder; 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 Top Line Construction Corporation; and

WHEREAS, the Township Assistant Engineer has reviewed the proposal and has provided the Township Committee with a memorandum recommending awarding the contract to Top Line Construction Corporation; 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 “2018 Capital Roadway Resurfacing” of New Amwell Road - Sections 2 & 3 is made to Top Line Construction Corporation in an amount not to exceed \$946,518.55.
2. The Mayor and Township Clerk are hereby authorized to execute a contract with Top Line Construction Corporation in accordance with the terms of this resolution, the Bid Specifications and Bid Proposal submitted.
3. A notice of this action shall be printed in the official Township newspaper.

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

5. RESOLUTION AMENDING THE AWARD OF CONTRACTS FOR 2018 ROAD MAINTENANCE MATERIALS

WHEREAS, the Township Committee adopted a Resolution awarding contracts for the 2018 Road Maintenance Material on May 8, 2018; and

WHEREAS, the Assistant Township Engineer has determined that an amendment is required as follows, per the bid package received:

<u>Bid</u> <u>Item</u>	<u>Description</u>	<u>Recommended</u> <u>Vendor</u>	<u>Unit</u> <u>Price</u>
17	Bit. Conc. Surface I-5, FOB	Stravola	71.00/ton*

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the above recommended amendment be accepted.

Mayor McCauley stated this resolution corrects the dollar amount from \$0.10 to \$0.71, that was a typographical error.

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

CONSENT AGENDA

1. RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Township of Hillsborough wishes to apply for funding of approximately \$60,000 for which the additional \$308,750.40 for the officer’s salary and benefits will be funded through 2018 budget

appropriations for an approximate project total cost of \$368,750.40 for a project under the State of New Jersey FY 2018 Safe and Secure Communities Grant Program, Grant #18-1810 for the period of February 1, 2018 through January 31, 2019; and

WHEREAS, the Township Committee of Hillsborough has reviewed the application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Township of Hillsborough, for the purpose described in the application.

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

1. The Township Committee approves participation in the Safe and Secure Communities Program.
 2. As a matter of public policy the Township of Hillsborough wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
 3. The Attorney General of New Jersey will receive funds on behalf of the Applicant.
 4. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
 5. The Division of Criminal Justice shall initiate allocations to the Applicant as authorized by law.
 6. FY2018 Safe and Secure Communities Grant Program, Grant #18-1810 for the period of February 1, 2018 through January 31, 2019.
2. **RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS IN THE AMOUNT OF \$ 386.09**
(total properties 1)

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 by the Township Committee, of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Tax Collector is hereby authorized to refund said amounts to the property owners; Total, \$386.09, properties, 1.

Block	Lot	Name	Amount	Qtr	Year
174	36	William & Patricia Kovach	\$386.09	2 nd	2018

3. **RESOLUTION AUTHORIZING THE TRANSFER OF EARNED AMOUNTS OF \$7,131.89 FROM THE SUBDIVISION AND SITE PLAN ENGINEERING TRUST ACCOUNTS TO THE TREASURER’S ACCOUNT**

WHEREAS, in accordance with the following summary of accrued Engineering inspection charges related to various indicated projects, a total of \$7,131.89 should be transferred from Engineering inspection escrow accounts into the Treasurer's Account as indicated; and

WHEREAS, this transfer represents inspections conducted and engineering work completed for the month of April 2018; and

WHEREAS, each of the project line items has been verified against the Treasurer's Office account records through May 15, 2018, 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 \$7,131.89 is to be transferred from the Engineering Escrow Accounts into the Treasurer's Account.

<u>Client</u>	<u>Number</u>	<u>Transfer Amount</u>
Country Classics - 4A	640	-1,324.30
Country Classics - 4D	626	-110.12
Gateway Phase 6	620	-820.82
Green Village	607	-335.65
HRC Associates - 2017	655	-1140.65
Hidden Brook Estate	603	-57.70
MAAC Development	615	-115.40
Meadow Brook	652	-2811.15
Pat Richards LLC	412	-52.42
RETS Partners	632	-110.12
RPM Dev/Westerling Place	637	-52.42
Richmond Properties	641	-57.70
WISEMAN (Hills Realty)	495	-143.44
Grand Total		-7,131.89

4. RESOLUTION AUTHORIZING THE REFUND OF RECREATION PROGRAM FEES IN THE AMOUNT OF \$ 160.00

WHEREAS, there are refunds due from Recreation program fees; and

WHEREAS, the Chief Financial Officer has received proof of such refunds being due and payable.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Chief Financial Officer is hereby authorized to refund said amounts as detailed below, in a total amount of \$ 160.00.

<u>Name</u>	<u>Amount</u>
Renuka Chauhan	\$160.00

5. A RESOLUTION OF THE TOWNSHIP OF HILLSBOROUGH REFERRING PROPOSED AREA IN NEED OF REHABILITATION RESOLUTION TO THE PLANNING BOARD FOR CONSIDERATION IN ACCORDANCE WITH N.J.S.A. 40A:12A-14(a)

WHEREAS, the Hillsborough Township Committee undertook an investigation as to whether the study area comprised of the properties identified on the official tax map of Hillsborough Township as Block 86, Lot 21 and Block 90, Lot 6.01 (the “Study Area”) is an area in need of rehabilitation as such term is defined within the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”); and

WHEREAS, as part of this investigation, the Township Planning and Zoning Department issued a report analyzing the Study Area and recommending that the Township Committee determine that the Study Area is an area in need of rehabilitation pursuant to the LRHL; and

WHEREAS, N.J.S.A. 40A:12A-14(a) requires that prior to the adoption of a resolution by the governing body determining that an area is an area in need of rehabilitation under the LRHL, the governing body must first submit the proposed resolution to the municipal planning board for its consideration and recommendations; and

WHEREAS, the Township Committee wishes to submit the proposed area in need of rehabilitation resolution for the Study Area to the Township Planning Board for its consideration and recommendations in accordance with N.J.S.A. 40A:12A-14(a) of the LRHL.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Township Clerk is hereby directed to transmit the area in need of rehabilitation report prepared by the Planning and Zoning Department and the proposed area in need of rehabilitation resolution for the Study Area to the Township Planning Board for its consideration and recommendations in accordance with N.J.S.A. 40A:12A-14(a) of the LRHL.

6. RESOLUTION GRANTING PERMANENT EMPLOYEE STATUS TO RICHARD TICHENOR, III AND PEDRO DAVID VELEZ, HILLSBOROUGH TOWNSHIP POLICE OFFICERS, EFFECTIVE MAY 24, 2018

WHEREAS, Richard Tichenor, III and Pedro David Velez were hired as Police Officers in the Hillsborough Township Police Department on May 24, 2017; and

WHEREAS, the Chief of Police certifies that Officer Tichenor and Officer Velez have performed their duties and assignments in a capable and competent manner; and

WHEREAS, having qualified for regular employee status during the 12 month probationary period, the Chief of Police recommends that regular employee status be conferred upon Officer Tichenor and Officer Velez, effective May 24, 2018.

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.

7. RESOLUTION AUTHORIZING A CONTRACT WITH BINSKY SERVICE FOR THE REPLACEMENT OF A WATER HEATER IN THE MUNICIPAL COMPLEX IN AN AMOUNT NOT TO EXCEED \$13,150.00

WHEREAS, the Township of Hillsborough solicited quotes for the replacement of a water heater in the Municipal Complex and three (3) responses were received as follows:

Binsky Service	\$13,150.00
Mueller Plumbing/Heating/Cooling	\$13,249.00
Fras-Air	\$22,391.00

WHEREAS, Director of Public Works and the Township Qualified Purchasing Agent recommend the award of a contract to Binsky Service for the replacement of a water heater in the Municipal Complex in an amount not to exceed \$13,150.00; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that a contract is authorized with Binsky Service for the replacement of a water heater in the Municipal Complex in an amount not to exceed \$13,150.00.

8. RESOLUTION AUTHORIZING AN AGREEMENT WITH DEER CARCASS REMOVAL SERVICE FOR THE REMOVAL OF STREET SWEEPINGS FROM THE AUTEN ROAD FACILITY IN AN AMOUNT NOT TO EXCEED \$12,000.00 THROUGH THE MORRIS COUNTY COOP CONTRACT #6MOCCP-49

WHEREAS, the Director of Public Works has determined there is a need for the removal of street sweepings from the Auten Road facility; and

WHEREAS, the Director of Public Works and the Township Qualified Purchasing Agent recommend that a contract be awarded to Deer Carcass Removal Service in an amount not to exceed \$12,000.00 through the Morris County Coop Contract #6MOCCP-49; and

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

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

1. The agreement with Deer Carcass Removal Service for the removal of street sweepings from the Auten Road facility in an amount not to exceed \$12,000.00 through the Morris County Coop Contract #6MOCCP-49 is hereby authorized.
2. This resolution shall take effect immediately.

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

Committeeman DelCore thanked the new officers and wished them much success.

CLAIMS LIST

Mayor McCauley asked to approve Claims List 2018-10.

Upon the motion of Committeeman Burchette, seconded by Deputy Mayor Tomson, Claims List 2018-10 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. Litigation:*
 - a. Affordable Housing*
 - b. Hillsborough Properties*
3. The Township Committee may take official action on those items discussed in Executive Session upon completion of the Executive Session.
4. The minutes of the discussions shall be made available to the public as soon as the matters under discussion are no longer of a confidential or sensitive nature.
5. This Resolution shall take effect immediately.

Upon motion by Committeeman Suraci, seconded by Deputy Mayor Tomson, the aforesaid resolution was unanimously approved upon call of the roll. The Township Committee went into Executive Session at 9:09 pm.

Upon motion by Committeeman Burchette, seconded by Committeeman Suraci, the public meeting was re-opened at 9:47 pm.

Township Attorney Eric Bernstein stated a discussion was had regarding Hillsborough Properties, no formal action needs to be taken. A discussion was had regarding Affordable Housing, no formal action needs to be taken.

ADJOURNMENT

Upon motion by Committeeman Suraci, seconded by Committeeman Burchette, the meeting duly adjourned at 9:48 pm. Said motion was carried unanimously upon voice vote.

Attested:

Pamela Borek
Township Clerk