

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 8:00 PM on March 26, 2019.

### **CALL OF THE ROLL**

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

### **SALUTE TO THE FLAG**

### **MAYOR STATES**

Mayor DelCore 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 8:00 p.m. on Tuesday, March 26, 2019.

### **APPROVAL OF MINUTES**

- **Approval of the February 12, 2019 Township Committee Meeting Minutes**

Upon a motion by Deputy Mayor Tomson, seconded by Committeeman Lipani, the minutes of the February 12, 2019 Regular Session were approved upon the call of the roll.

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

#### **Committeewoman Holmes**

Committeewoman Holmes reported she attended the NJ Futures Redevelopment Forum, a non-profit, non-partisan group fostering economic development in a sustainable fashion.

Committeewoman Holmes stated on Tuesday, February 26th, the Hillsborough Mayors Wellness program in collaboration with RideWise, an independent non-profit organization dedicated to promoting and advocating for transportation choices that are efficient, safe, and sustainable, presented a program, The Benefits of Walking and How to Approach Long-term Fitness.

Committeewoman Holmes advised the Green Living and Wellness Fair will be held on Saturday, June 1st in conjunction with the YMCA Annual Hillsborough Hop.

#### **Committeeman Lipani**

Committeeman Lipani reported the Rotary Club of Hillsborough offers a Scholarship Program providing financial support to five qualifying local students planning to extend their academic careers in college or vocational school.

Committeeman Lipani announced Raritan Headwaters is hosting an Annual Stream Cleanup scheduled for Saturday, April 13th from 9am-12pm.

Committeeman Lipani stated the first payment by the State of New Jersey for the Homestead Benefit has been received and applied to the May taxes.

Committeeman Lipani reminded residents to obtain any required prior approvals from Zoning and Engineering before submitting pool and deck applications to the Building Department.

Committeeman Lipani reported the Public Works Department has begun efforts to fix over 80 storm drains in preparation for the upcoming road resurfacing projects.

Committeeman Lipani stated Senior Curbside Clean Up tickets are available at the Public Works Yard between 8 and 2pm Monday through Friday.

Committeeman Lipani advised seedlings will be available on April 27th at the Auten Road Facility through the NJ Tree Recovery Campaign.

Committeeman Lipani announced a Night of Networking Registration is now open for the HBA and Affinity Federal Credit Union joint networking event on April 11th.

Committeeman Lipani reported the Engineering Department is preparing for the 2019 Road Paving Program.

**Committeewoman McCauley**

Committeewoman McCauley announced later on the agenda the Township Committee will be recognizing the Top Cops for 2018. Each year the Township Police Department selects "Top Cops", one from each Patrol Squad, to be recognized for their exceptional performance for the previous year.

Committeewoman McCauley reminded residents that it is important to remember that Call Before You Dig is the law. The phone number to call is 811 or 1-800-272-1000.

Committeewoman McCauley advised residents that the Every 15 minutes program will be taking place at the Hillsborough High School which involves emergency services activity on Thursday, April 4th.

Committeewoman McCauley reported Operation Secure Shred is sponsored by Somerset County Board in cooperation with the County Department of Public Works. All events run from 9 a.m. to 1 p.m. or until the trucks are filled, rain or shine. The first event will be held Saturday, March 30, 2019 Somerset County Public Works Garage South County Facility 410 Roycefield Road Hillsborough, NJ 08844

**Deputy Mayor Tomson**

Deputy Mayor Tomson stated Foothill Acres Nursing Home is looking for performers for "Hillsborough's Got Talent", auditions are April 2nd.

Deputy Mayor Tomson announced the Annual Family Fun Run Around the Park will be on Sunday, April 28th. The cost is \$25 for adults and \$20 for children under 12. Register by March 29th to get a free T-Shirt.

Deputy Mayor Tomson reminded residents that the Parks and Recreation Summer Camp registration is open. Camps run from June 24th through August 16th for children aged 5-13. There is also a Tiny Camp for 4 and 5 year olds who have not finished Kindergarten.

Deputy Mayor Tomson reported Hillsborough Township has been recognized by Sustainable Jersey as one of 14 towns featured as the March 2019 Sustainability Heroes.

### **Mayor DelCore**

Mayor DelCore stated on Sunday, March 24th he started his day at CKO Boxing, as they celebrated 2 years of helping people with Parkinson's live healthier and better lives with Rock Steady Boxing, a life-changing internationally known program.

Mayor DelCore reported he was later joined by Committeewomen McCauley and Holmes at the Falcon's Nest for the Hark's John Bocskocsky Memorial Event to Support pALS (people with ALS). Mayor DelCore thanked Deborah Fabricatore and the entire ARC's team for the work they have done.

Mayor DelCore announced Hillsborough Township is joining towns across the country in encouraging residents, to take the Wyland Foundation's National Mayor's Challenge for Water Conservation, April 1-30.

Mayor DelCore advised the BORO Pride initiative grew from conversations with Dr. Lisa Antunes, Assistant Superintendent of Hillsborough Township Public Schools, and the Hillsborough Education Association (HEA) related to collaboration and stakeholder connections that strengthen our schools and community. Mr. Henry Goodhue, President of HEA provided additional information.

Mayor DelCore reminded residents that the Hillsborough Township Credit Card Advisory Committee is accepting grant applications. This program is at no cost to the tax payers but is the result of a long term, dedicated partnership with the Affinity Federal Credit Union.

### **PROCLAMATIONS / APPOINTMENTS**

- **Lifesaving Awards Presented to Cpl. Heindrichs/Ptl. Engelhardt**

*WHEREAS, Hillsborough Police Officers, Craig Heindrichs and Christopher Engelhardt have been awarded the Department CPR Lifesaving Award; and*

*WHEREAS, on December 23, 2018 at approximately 2:52 pm Corporal Heindrichs and Patrolman Engelhardt were dispatched to a residence for the report of an unresponsive fifty-six-year-old male; and*

*WHEREAS, Officers Heindrichs and Engelhardt responded to the residence and found the patient to be unresponsive, not breathing and with no pulse. They immediately commenced CPR and lifesaving measures including attaching a defibrillator; and*

*WHEREAS, the officers delivered approximately ten shocks to the patient as directed by the AED while continuing CPR until EMS arrived. The patient was transported to RWJ Somerset Hospital wherein he was admitted and recovered; and*

***WHEREAS**, the valiant actions of Officers Heindrichs and Engelhardt serve as an example of the highest standards of the Hillsborough Township Police Department through their heroism and willingness to help others; and*

***WHEREAS**, Hillsborough Township Police Chief Darren Powell has recognized Corporal Heindrichs and Patrolman Engelhardt with the Department Lifesaving Award for being instrumental in reviving the victim.*

***NOW, THEREFORE, BE IT PROCLAIMED** that we, the Mayor and Hillsborough Township Committee, do hereby extend our sincere congratulations and appreciation to Hillsborough Township Police Officers Craig Heindrichs and Christopher Engelhardt for saving the life of this individual and for being shining members of our community.*

***BE IT FURTHER PROCLAIMED** that the Mayor and the Hillsborough Township Committee thank Hillsborough Township Police Officers Craig Heindrichs and Christopher Engelhardt for their service to the residents of Hillsborough.*

- **Lifesaving Awards presented to Police Officers Bastardo, Gorka and Farrel**

***WHEREAS**, Hillsborough Police Officers, Joseph Bastardo, Brian Gorka and Patrick Farrell have been awarded the Department CPR Lifesaving Award; and*

***WHEREAS**, on September 15, 2018 at approximately 2:30 pm Officers Bastardo, Gorka and Farrell were dispatched to a residence for the report of CPR in progress after an individual collapsed while working in the yard; and*

***WHEREAS**, Officers Bastardo, Gorka and Farrell responded to the residence and immediately took over CPR and lifesaving measures including attaching a defibrillator; and*

***WHEREAS**, the officers were able to revive the victim by delivering a shock and continuing CPR as paramedics arrived. Due to their heroic actions the victim survived; and*

***WHEREAS**, the valiant actions of Officers Bastardo, Gorka and Farrell serve as an example of the highest standards of the Hillsborough Township Police Department through their heroism and willingness to help others; and*

***WHEREAS**, Hillsborough Township Police Chief Darren Powell has recognized Officer Joseph Bastardo, Officer Brian Gorka and Officer Patrick Farrell with the Department CPR Lifesaving Award for being instrumental in reviving the victim.*

***NOW, THEREFORE, BE IT PROCLAIMED** that we, the Mayor and Hillsborough Township Committee, do hereby extend our sincere congratulations and appreciation to Hillsborough Township Police Officers Joseph Bastardo, Brian Gorka and Patrick Farrell for saving the life of this individual and for being shining members of our community.*

***BE IT FURTHER PROCLAIMED** that the Mayor and the Hillsborough Township Committee thank Hillsborough Township Police Officers Joseph Bastardo, Brian Gorka and Patrick Farrell for their*

*service to the residents of Hillsborough.*

- **Lifesaving Award for Officer Bastardo**

**WHEREAS**, Hillsborough Police Officer Joseph Bastardo has been awarded the Department CPR Lifesaving Award; and

**WHEREAS**, on April 29, 2018 at approximately 10:30 am Officer Bastardo was dispatched to a report of an individual down and CPR in progress at a Township Park; and

**WHEREAS**, Officer Bastardo responded to the park and immediately took over CPR and lifesaving measures; and

**WHEREAS**, Officer Bastardo along with bystanders was able to revive the individual by delivering 4 shocks as emergency personnel arrived. Due to the quick response and heroic actions of Officer Bastardo, the individual survived; and

**WHEREAS**, the valiant actions of Officer Bastardo serves as an example of the highest standards of the Hillsborough Township Police Department through his heroism and willingness to help others; and

**WHEREAS**, Hillsborough Township Police Chief Darren Powell has recognized Officer Joseph Bastardo with the Department Lifesaving Award for being instrumental in reviving the victim.

**NOW, THEREFORE, BE IT PROCLAIMED** that we, the Mayor and Hillsborough Township Committee, do hereby extend our sincere congratulations and appreciation to Hillsborough Township Police Officers Joseph Bastardo for saving the life of this individual and for being a shining member of our community.

**BE IT FURTHER PROCLAIMED** that the Mayor and the Hillsborough Township Committee thank Hillsborough Township Police Officers Joseph Bastardo for his service to the residents of Hillsborough.

- **Proclamation honoring Pat Rector/Rutgers Coop Extension**

**WHEREAS**, Hillsborough Township along with Rutgers Cooperative Extension (RCE) received a 319(h) Clean Water Act Grant from the NJ Department of Environmental Protection in 2014 to address areas of concern along the Royce Brook, a tributary to the Raritan River; and

**WHEREAS**, the project is focused on engaging municipal staff and residents to adopt green infrastructure practices and techniques to help reduce flooding and improve water quality in the Royce Brook, and ultimately the Raritan River; and

**WHEREAS**, Patricia Rector, Environmental Agent for RCE has been the project lead working alongside Dr. Christopher Obropta, Ph.D., P.E. Extension Specialist in Water Resources with RCE and Water Resources staff, and Tobiah Horton, Extension Specialist with the Rutgers Department of Landscape Architecture. They worked closely with the Township Committee, Hillsborough Sustainability Director, Department of Public Works, Department of Parks, Sustainable Hillsborough Steering Committee, the Environmental Commission, RCE Master Gardeners, Stony Brook-Millstone Watershed Association and township residents; and

***WHEREAS**, the grant provided funding that resulted in installing two rain gardens at the Municipal Complex, retrofitting a detention basin, the Fox Chase Pond restoration plan, and provided rain garden education and free rain garden designs to residents; and*

***WHEREAS**, Pat Rector has been with the Rutgers Cooperative Extension since 2009 focusing her efforts in disconnection of stormwater, aquatic invasive species, and youth and water programming. She is also the statewide program coordinator of the RES Program at Duke Farms and the Rutgers Environmental Stewards Program which has resulted in numerous Hillsborough based projects through the years; and*

***WHEREAS**, Pat Rector has conducted community-based educational programs including implementing stormwater BMP's, cluster rain gardens, and community-based rain barrel programs. She has also conducted teacher in-service training with regard to rain gardens and is updating the curriculum to mesh with the Next Generation Science Standards; and*

***NOW, THEREFORE, BE IT PROCLAIMED** by the Mayor and Hillsborough Township Committee that the Rutgers Cooperative Extension is hereby recognized for its many contributions to Hillsborough Township in its efforts to reduce flooding and clean the water of Royce Brook.*

***BE IT FURTHER PROCLAIMED** that we, the Mayor and Hillsborough Township Committee recognize Patricia Rector for her outstanding service and wish her well in her future endeavors and thank her for her dedication.*

- **Proclamation honoring Arjun Jain**

***WHEREAS**, local student and hockey player Arjun Jain was diagnosed with leukemia on August 19, 2018, taking him away from school and the sport he loves; and*

***WHEREAS**, while Arjun Jain began his courageous fight he also began a blog, "I am Arjun Jain" chronicling his journey; and*

***WHEREAS**, through his daily blog Arjun has shown an incredible spirit, display of courage and maturity beyond his years; and*

***WHEREAS**, Arjun through his actions and affiliation as an honorary member of the Hillsborough High School Ice Hockey Team has brought awareness about leukemia to the public, has demonstrated great resiliency during this time of adversity, and serves as a role model to others; and*

***WHEREAS**, in the midst of his battle with cancer Arjun continually expresses an interest in his blog to help others and wishes to make a difference, in Arjun's words, "by showing them that staying positive can help you survive all the tough times".*

***NOW, THEREFORE BE IT PROCLAIMED** that we, the Mayor and the Hillsborough Township Committee, do hereby commend Arjun Jain for his courage, bravery, compassion, and spirit.*

- **Proclamation honoring HHS Hockey Team**

***WHEREAS**, the Hillsborough High School Ice Hockey Team is part of the larger ice hockey community; and*

***WHEREAS**, Arjun Jain's courageous fight against leukemia and his love of hockey caught the attention of Ice Hockey Team member Mike Panchery who approached Coach Chris Tommins about recognizing Arjun and making him an honorary member of the Raiders Hockey Team; and*

***WHEREAS**, the Hillsborough High School Ice Hockey Team led by Head Coach Chris Tommins and Assistant Coach Chris Mikolajczyk, consists of Nick Antonoff, Andrew Ely, Paul Fedora, Brock Forrest, Jamie Gaffney, Mike Jandoli, Nick Kepfinger, Jude Kurtas, Mike LoRicco, Jason LoRicco, Patrick Lewicki, Keegan McGowan, Mike Panchery, Seamus Parauda, Matt Palmer, Robert Renner, Holden Stack, Lleyton Soares, Jack Spitzer, Brendan Seramba, Jake Silver, Nathan Wolfe, Jason Wolff, and Jack Wash; and*

***WHEREAS**, Coach Tommins spoke at length with Arjun Jain about hockey including Arjun's position and favorite team. Coach Tommins designated the December 7th game as their Hockey Fights Cancer game in association with the NHL's Hockey Fights Cancer initiative in November; and*

***WHEREAS**, on December 7, 2018 Arjun Jain became an honorary member of the Hillsborough Ice Hockey team, dropping the ceremonial first puck and joining the rest of his new teammates on the scoresheet as number 2. Honoring Arjun served to put daily struggles in perspective, was a lesson in how to face adversity and allowed the team to realize how fortunate they are; and*

***NOW, THEREFORE BE IT PROCLAIMED** that we, the Mayor and the Hillsborough Township Committee, do hereby commend all of the members of the Hillsborough High School Ice Hockey Team for providing a memorable experience for Arjun Jain and creating a sense of community and camaraderie. The Township Committee further congratulates the Hillsborough High School Ice Hockey Team on their 21-7-1 season and advancing to the NJSIAA Public A State Final.*

***BE IT FURTHER PROCLAIMED** that we, the Mayor and Hillsborough Township Committee, further commend the Hillsborough High School Ice Hockey Team for the honor they have brought themselves, their team, and our community through their compassion and thoughtfulness.*

**PRESENTATIONS**

- **Canine Unit Logo Contest Winners**
- **Top Cops for 2018**

**NEW BUSINESS**

- *None*

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

- *None*

**PUBLIC HEARINGS**

**2019-06 Ordinance Of The Township Of Hillsborough, Somerset County, New Jersey, Amending Chapter 188 “Land Use And Development”, Article V “Districts And Standards”, Section 188-113.4 “GV Green Village District” Of The Code Of The Township Of Hillsborough.**

**Proposed Amendments to Section 188-113.4. GV Green Village District**

**Chapter 188. Land Use and Development**

**Article V. Districts and Standards**

**§188-113.4. GV Green Village District**

**New language is underlined thus.**

**Deletions are indicated with brackets and strikethroughs**

**A. Purpose, applicability, and affordable housing obligation.**

- (1) The purpose of the Green Village (GV) Zone District is to establish a mixed-use zone that provides for affordable housing, multifamily housing, hotel, retail, office and restaurant uses at a location that provides access to employment areas through adjacency to major roadways and/or public transportation. The standards are intended to offer maximum flexibility for site design and selection of dwelling unit types in order to offer a balanced housing pattern attractive to all income and age segments of the community as part of the Township's fair share housing plan for meeting the region's low- and moderate-income housing needs.
- (2) The standards contained herein shall apply to the entire tract unless otherwise specified.
- (3) The tract shall contain a minimum of 143 low- and moderate-income units in accordance with applicable affordable housing regulations, including but not limited to Article VII of this Chapter. If there is a conflict between Article VII of this Chapter and the Uniform Housing Affordability Controls (UHAC), UHAC shall control, provided that a minimum of 13 percent of the total low-and moderate-income units shall be affordable to very low income households (i.e. 30% or less of median income).

**B. Permitted principal uses. No change.**

**C. Accessory uses. No change.**

**D. Minimum tract area and location.**

- (1) A minimum of 40 acres and frontage on New Jersey State Highway Route 206.
- (2) The tract shall not be subdivided into more than four separate lots. The minimum lot size shall be 2.5 acres. All lots shall abut either a public or private street.

**E. Yard and bulk regulations for tract development.**

- (1) Tract frontage: minimum of 300 feet on a major arterial roadway.
- (2) *through* (8). *No change.*

**F. Site perimeter requirements. No change.**

**G. Maximum build-out of tract.**

- (1) Residential: a maximum of 599 dwelling units inclusive of the low- and moderate-income obligation outlined in §188-113.4.A.(3). The approval of any dwelling units on the tract in excess of 469 units shall be contingent upon the approval of the hotel provided for in subsection G.(2) by the applicable Township Board.
- (2) Hotel: a minimum of 100 guest units but not to exceed 130 guest units.
- (3) Retail, office, restaurants and fiduciary institutions: not to exceed a combined total of 20,000 square feet.

**H. Parking requirements. No change.**

**I. Supplemental regulations.**

- (1) *through* (6) *No change.*
- (7) Signs. A signage program shall be established as part of the development review and approval process pursuant to the requirements contained in §188-83.J except as provided for in I.(7)(d) below.
  - (a) *through* (c) *No change.*
  - (d) The following standards shall apply to hotels.

A freestanding sign may be placed on a lot separate from the hotel but must be on the original tract cited in §188-113.4.D.

Hotels may have one façade sign displaying the corporate logo on each of two sides, one being the front façade and the second on a façade that is directly visible from Route 206. The sign on the front wall shall not exceed 75 square feet, or five percent of the façade face, whichever is less. The secondary sign shall not exceed 60 square feet, or five percent of the façade face, whichever is less. The size of the sign shall be determined by a geometric shape encompassing all letters, symbols and graphics on the sign. The location of the signs relative to the height and massing of the building shall be subject to the approval of the applicable reviewing board during the site plan process.

Mayor DelCore stated this proposed ordinance would amend the Green Village District to permit the construction of an additional 130 dwelling units in the Brookhaven Lofts development located on Route 206. This would increase the total number of units on the site from 469 to 599 units, of which 143 units

would meet affordability requirements. The amendment would make the approval of the additional dwelling units contingent upon the developer gaining approval to build a hotel on the tract with a minimum of 100 guest units. The hotel is already a permitted use in the GV District. The proposed ordinance will now be sent to the Planning Board for comment.

Upon a motion by Committeewoman McCauley, seconded by Committeeman Lipani, to open the public hearing on Ordinance 2019-06, the motion was unanimously approved upon the call of the roll.

Committeewoman Holmes expressed concerns regarding the lack of sidewalks as required by Phase 1 and the impact of approving Phase 2.

Mayor DelCore responded the phases can run concurrently and the requirement for sidewalks remains.

Susan Gulliford, Hunt Club Road inquired as to the increase in affordable housing units for A3.

Deputy Mayor Tomson responded the obligation from the state continues to increase and the Township is still playing catch up from the lack of building 10-15 years ago.

Assemblyman Freiman spoke about the legislation he is introducing to reduce the obligation of moderate income housing.

Thuy An Lee, Ivy Lane asked about the current affordable housing obligation. Mayor DelCore advised the Township is working with the Court Master to obtain new numbers.

Meryl Bisberg, Hickory Hill Road is concerned that there are still no sidewalks in Green Village after 9 years. Township Planner Dave Maski advised that the DOT is now involved because of the widening of 206 but stated if it is in the master plan that it must be done.

Mayor DelCore announced he will organize a Mayor's Townhall to inform the public on affordable housing.

Upon a motion by Committeewoman McCauley, seconded by Committeeman Lipani, to close the public hearing and adopt Ordinance 2019-06, the motion was unanimously approved upon the call of the roll.

## **INTRODUCTION OF NEW ORDINANCES**

### **2019-08 Ordinance Amending Chapter 145 "Construction Codes, Uniform", Section 145-3 "Construction Fee Schedule", Of The Code Of The Township Of Hillsborough, County Of Somerset, State Of New Jersey**

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

**Section 1.** Chapter 145 "Construction Codes, Uniform", Section 145-3 "Construction fee schedule" of the Code of the Township of Hillsborough is hereby amended as follows: **(additions are underlined, deletions are ~~stricken~~)**

- A. Waiver of construction permit surcharge and enforcing agency fees for construction to promote accessibility by disabled persons, as stated in N.J.S.A. 52:27D-126e, the “State Uniform Construction Code Act.”
- (1) No person shall be charged a construction permit surcharge fee or enforcing agency fee, except those fees for sub-code inspections not performed by Township employees, for any construction, reconstruction, alteration, or home improvement designed and undertaken solely to promote accessibility by disabled persons to an existing private structure, or any of the facilities contained therein.
- (a) For the purposes of this section, “disabled person” means a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, including blindness, and shall include, but not be limited to, any person who is disabled pursuant to the Federal Social Security Act (42 USC §416), or the Federal Railroad Retirement Act of 1974 (45 USC §231 et seq.), or is rated as having a 60 percent disability or higher pursuant to any federal law administered by the United States Veterans Administration. For purposes of this subsection "blindness" means central visual acuity of 20/200 or less in the better eye with the use of correcting lenses. An eye which is accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.
- B. The fee for a construction permit shall be the sum of the sub-code fees listed in Subsection B (1) through (6) hereof and shall be paid before the permit is issued. Excluded from the construction fee schedule set forth herein is any unattached structure under thirty (30) inches in height which is accessory to landscaping development on the property. For purposes of example only, not limitation, such landscaping structures may include railroad ties, rock gardens, patio pallet construction, and similar items. All Use Groups and construction classifications referenced herein are as defined by the New Jersey Uniform Construction Code.
1. The minimum building sub-code fee shall be sixty dollars (\$60.00) for the R2 Use Group, seventy dollars (\$70.00) for the R3, R4, and R5 Use Groups and one hundred dollars (\$100.00) for all other use groups.
- (a) New construction and additions. Fees for new construction shall be based upon the volume of the structure in cubic feet.

For the following use groups, the fee shall be based on the formula of volume times ~~\$0.045~~: **(\$0.048)**: B (Business), H (High Hazard), I-1 through I-4 (Institutional), A-1 through A-5, (Assembly), M (Mercantile), R-1 through R-5 (Residential), E (Educational).

For the following use groups, the fee shall be based on the formula of volume times ~~two and one half cents (\$0.025)~~: **(\$0.028)**: ~~S-1 through S-2 (Storage), U (Utility) and F-1 through F-2 (Factory)~~ **A-1 through A-5 (Assembly), F-1 through F-2 (Factory), and S-1 through S-2 (Storage)**

~~—\$0.025 per cubic foot of volume for the first fifty thousand (50,000) cubic feet or part thereof;~~

~~—\$0.018 per cubic foot of volume for the second fifty thousand (50,000) cubic feet or part thereof;~~

~~—\$0.014 per cubic foot of volume of the structure over one hundred thousand (100,000) cubic feet.~~

Building sub-code Fee for commercial farm buildings, as defined by the New Jersey Uniform Construction Code, NJAC 5:23-3.2(d)~~±~~, shall not exceed \$2,290.00. **Volume calculation shall be in accordance with NJAC 5:23-4.18(c)**

~~—Decks and raised patios shall be charged fees per section B (1) (b) below.—~~

- (b) Renovations, alterations, and repairs. Fees for renovations, alterations, and repairs, **including decks and raised patios**, shall be based upon the estimated cost of the work. (The applicant shall submit cost data by an architect or engineer of record, a recognized estimating firm or by contractor bid. The Department will review the construction cost for acceptability). The fees shall be as follows:

| <b><u>If the estimated cost is between</u></b> _____ | <b><u>The fees charged shall be</u></b>                  |
|--|--|
| \$1.00 - \$100,000.00                                | <del>\$32.00</del> <b><u>\$35.00</u></b> per \$1,000.00. |
| \$100,001.00 - \$200,000.00                          | <del>\$30.00</del> <b><u>\$32.00</u></b> per \$1,000.00. |
| \$200,001.00 - \$300,000.00                          | <del>\$28.00</del> <b><u>\$30.00</u></b> per \$1,000.00. |
| Over \$300,000.00                                    | <del>\$26.00</del> <b><u>\$28.00</u></b> per \$1,000.00  |

- (c) Additions and renovations, alterations or repairs. Fees for additions and renovations, alterations or repairs shall be a combination of rates set by Subsection B (1) (a) and (b) above.

All **required** roof replacements and overlays **permits** shall have a flat fee charged of seventy dollars (\$70.00) for the R3, R4, and R5 Use Groups, and one hundred forty dollars (\$140.00) for all other **the R2** Use Groups. **All other Use Groups shall be charged fees based on the cost of the construction, at the same rate of B (1) (b) above.**

All **required** siding replacements and overlays **permits** shall have a flat fee charged of seventy dollars (\$70.00) for a townhouse. A fee of ~~sixteen~~ **twenty** dollars (~~\$16.00~~) (**\$20.00**) per one thousand dollars (\$1000.00) of construction costs shall be charged for the R2 Use Group. ~~A flat fee of one hundred forty dollars (\$140.00) shall be charged for all other Use Groups.~~ **All other Use Groups shall**

**be charged fees based on the cost of the construction, at the same rate of B (1) (b) above.**

Radon vent systems shall be charged the minimum fee for the first vent stack, and fifty percent (50%) of the minimum fee for each additional vent stack.

- (d) Pools shall be charged fees as follows:

Swimming pools, above ground.

R-5 Use group: one hundred **forty** dollars (~~\$100.00~~ **\$140.00**).

All other Use Groups: three hundred percent (300%) of the Minimum Fee.

Seasonal use pools, those which are not permanent in nature and are regulated by the New Jersey Uniform Construction Code, shall be charged a fee of ~~forty~~ **fifty** dollars (~~\$40.00~~ **\$50.00**).

Swimming pools, in-ground.

R-5 Use Group: one hundred sixty dollars (\$160.00).

All other Use Groups: three hundred sixty dollars (\$360.00).

Pool Barriers.

R-5 Use Group: ~~eighty~~ **one hundred** dollars (~~\$80.00~~ **\$100.00**).

All other Use Groups: two hundred percent (200%) of the Minimum Fee.

- (e) Asbestos abatement fee: Two hundred percent (200%) of the Minimum Fee.

Certificate of occupancy fee for asbestos abatement: fifty percent (50%) of the Minimum Fee.

- (f) Fences [over six (6) feet in height], two hundred percent (200%) of the Minimum Fee.

- (g) Sheds as defined in the New Jersey Uniform Construction Code:

Those not requiring a foundation system: Minimum Fee.

[2} Sheds with a required foundation system: two hundred percent, (200%), of the Minimum Fee.

- (h) Temporary signs: Minimum Fee.

1. Permanent signs:

Wall or surface mounted signs: one hundred dollars (\$100.00).

Pylon, ~~and pillar~~, monument, ~~and similar~~ signs: two hundred twenty dollars (~~\$200.00~~ \$220.00).

(j) Demolition: flat rate, depending on building class when occupied as follows:

Class 1: ~~four~~ six hundred dollars (~~\$400.00~~ \$600.00).

Class 2: ~~two~~ four hundred ~~fifty~~ dollars (~~\$250.00~~ \$400.00).

Class 3: ~~one~~ two hundred ~~ten~~ dollars (~~\$110.00~~ \$200.00).

Demolition of swimming pools:

(a) Above ground: Minimum Fee.

(b) In-ground: Same as established rate for Class 3 demolition.

Demolition of shed: Minimum fee per Use Group.

(k) Installation or erection of temporary structures, tents, tensioned membrane structures, canopies, and greenhouses, as defined in NJAC 5:23 shall be ~~one~~ two hundred fifty dollars (~~\$100.00~~ \$250.00).

(l) Buildings moved or relocated, unit rate: sixteen dollars (\$16.00) per one thousand dollars (\$1,000.0) [minimum fee: two hundred fifty dollars (\$250.00)]; unit rate times the total estimated cost of the following:

New foundation

All other costs necessary to complete structure

(m) Fees for retaining walls shall be as follows:

The fee for a retaining wall with a surface area greater than five hundred fifty, (550), square feet that is associated with a Class 3 residential structure shall be two hundred forty dollars, (~~\$200.00~~ \$240.00).

The fee for a retaining wall with a surface area of five hundred fifty, (550), square feet or less that is associated with a Class 3 residential structure shall be one hundred forty dollars, (~~\$100.00~~ \$140.00).

The fee for a newly constructed retaining wall of any size at other than a Class 3 residential structure shall be ~~based on the cost of the construction, and shall be charged fees at the same rate of B (1) (b) above.~~ shall be charged fees based on the cost of the construction, at the same rate of B (1) (b) above.

(n) Photovoltaic systems:

**Ground-mounted systems shall be charged fees based on the cost of the construction, at the same rate of B (1) (b) above.**

**Roof-mounted installations** shall be charged a flat fee of one hundred ~~forty~~ **sixty** dollars (~~\$140.00~~ **\$160.00**) for Use Groups ~~R3, R4, and~~ R5. All other Use Groups shall be charged fees based on the designated kilowatt rating of each solar photovoltaic systems as follows:

One to 50 kilowatts, the fee shall be two hundred sixty dollars (\$260.00).

Fifty-one to 100 kilowatts, the fee shall be five hundred dollars (\$500.00).

Greater than 100 kilowatts shall be seven hundred fifty dollars (\$750.00).

1. **The minimum plumbing sub-code** fee shall be sixty dollars (\$60.00) for the R2 Use Group, seventy dollars (\$70.00) for the R3, R4, and R5 Use Groups and one hundred dollars (\$100.00) for all other use groups. All other fees shall be charged as stated below.

(a) The fee shall be twenty dollars (\$20.00) per drip pan, humidifier, whirlpool tub, combustion air, fixture, vent or stack. For the purpose of computing this fee, fixtures, vents or stacks shall include but not be limited to water closets, urinals, bidets, lavatories, sinks, showers, floor drains, washing machines, dishwashers, hose bibs, drinking fountains, indirect waste or water connections, residential solar systems, roof drains, storm drains, leaders, sump-pumps, and conductors.

(b) The fee shall be ~~seventy five~~ **eighty** dollars (~~\$75.00~~ **\$80.00**) per special device. For the purpose of computing this fee, special devices shall include but not be limited to sewage ejectors, ~~commercial gas piping,~~ commercial water conditioning equipment, ~~grease, oil, sand or other type interceptors,~~ **commercial water heaters, grease traps, oil separators, refrigeration units,** backflow devices, reduced pressure backflow devices, booster pumps, ~~commercial industrial water heaters,~~ heat exchangers, ~~boilers or~~ furnaces, air conditioning ~~units~~ **condensers and coils,** ~~refrigeration systems and~~ **active** solar systems, **sewer pumps, interceptors, and trap primers.**

(c) **A flat fee of two hundred dollars (\$200.00) shall be charged for each new non-residential complete HVAC system installation, consisting of a furnace, compressor, a-coil, drip pan, condensate pump or discharge line, humidifier, or any combination thereof, and shall include inspection for required combustion air.**

**(d) A fee of one hundred sixty dollars (\$160.00) shall be charged for the first two pieces of equipment of each new non-residential mini-split system. Forty dollars (\$40.00) shall be charged for each additional piece of equipment thereafter.**

**(e)** The Minimum Fee shall be charged for each residential sewer, septic and water utility connection. The fee for commercial, industrial, private on-site sanitary and storm sewers and domestic water lines and combination mains shall be one hundred dollars (\$100.00) for up to and including the first one hundred feet (100'). Each additional ten feet (10') or portion thereof shall be charged an additional twenty dollars (\$20.00) per ten feet (10') or portion thereof.

**3f)** The Minimum fee shall be charged for each of the following:

Furnace, residential water heater, swimming-pool water heater, water heater coil, ultraviolet system, central air conditioning, pool drains, steam shower units, **commercial-industrial refrigeration piping, roof-top unit** and tempering valves. Gas piping, liquefied petroleum gas piping, and fuel oil piping, shall each be charged the minimum fee, and include provisions for the installation of up to four (4) appliances. For the fifth and each additional appliance, the fee shall be an additional twenty dollars, (\$20.00).

**(e)(g)** Hot water and steam boilers:

One hundred sixty dollars (\$160.00) shall be charged for each new or replacement complete hot water and steam boiler system installation, consisting of a boiler, backflow preventer, temperature mixing valve control, domestic hot water coil or external water maker coil unit and tank, combustion air, or any combination thereof.

**(f)(h)** The Minimum Fee shall be charged for single-boiler hydronic piping for the R-5 use structure.

~~**(g)** The Minimum Fee shall be charged per unit for commercial-industrial refrigeration piping.~~

~~**(h)** Non-residential water heaters shall be charged a flat fee of \$80.00 each.~~

**(i) Liquefied petroleum gas tanks shall be charged the minimum fee for the first two tanks. Thirty dollars (\$30.00) shall be charged for each tank thereafter.**

**(3) Mechanical sub-code fees**, which are only applicable to the R3, R4, and R5 Use Groups, shall be seventy dollars (\$70.00) minimum, and shall otherwise be charged as follows:

(a) The fee for the replacement of an individual Mechanical device shall be the minimum fee for the first device, and fifty percent (50%) of the minimum fee for each additional device, and shall include inspection for required combustion air.

(b) No separate fee shall be charged for gas, fuel oil, or water piping connections associated with the mechanical equipment inspected.

- (c) A flat fee of one hundred forty dollars (\$140.00) shall be charged for each new or replacement complete HVAC system installation, consisting of a furnace, compressor, a-coil, drip pan, condensate pump or discharge line, humidifier, combustion air, or any combination thereof.
- (4) **The minimum electrical sub-code fee** shall be sixty dollars (\$60.00) for the R2 Use Group, seventy dollars (\$70.00) for the R3, R4, and R5 Use Groups and one hundred dollars (\$100.00) for all other use groups. All other fees shall be charged as stated below.

(a) Electrical fixtures, ~~and~~ devices, **and light poles or standards:**

From one (1) to ten (10) receptacles, fixtures or switches: Minimum fee.

Each additional twenty (20) receptacles, fixtures or switches or portion thereof: fifty percent (50%) of the minimum fee.

For the purpose of computing this fee, receptacles, fixtures or switches shall include lighting outlets, smoke detectors, heat detectors, fluorescent fixtures and receptacles, intercom devices, burglar alarm detectors, thermostats, CRT (Cathode ray terminal) outlets and any similar device or motor of one (1) horsepower or one (1) kilowatt or less.

(b) Motors.

| <b>Size (horsepower)</b> | <b>Fee for each</b>  |
|--------------------------|--|
| 1.1 to 10                | Twenty dollars   |
| 10.1 to 50               | Minimum Fee  |
| 50.1 to 100              | Two hundred percent (200%) of the Minimum Fee                                    |
| 100.1 to 500             | \$330.00   |
| Over 500                 | \$330.00 plus \$120.00 for each additional<br>100 horsepower over 500 horsepower |

(c) Electrical devices, transformers and **commercial standby** generators:

| <b>Size (kilowatts/<u>kva</u>)</b> | <b>Fee for each</b>                    |
|------------------------------------|--|
| 1.1 to 10                          | Fifty percent (50%) of the Minimum Fee |

|              |   |
|--------------|---|
| 10.1 to 50   | Eighty dollars (\$80.00)                      |
| 50.1 to 100  | Two hundred percent (200%) of the Minimum Fee |
| 100.1 to 500 | \$330.00                                      |
| Over 500     | \$330.00 plus \$120.00                        |

for each additional 100 kilowatts over 500 kilowatts

**(d) Residential standby generators:**

| <u>Number of Kilowatts</u>    | <u>Fee</u>       |
|-------------------------------|------------------|
| <u>1-12</u>                   | <u>=\$80.00</u>  |
| <u>12.01-20</u>               | <u>=\$100.00</u> |
| <u>20.01-30</u>               | <u>=\$120.00</u> |
| <u>For each additional 10</u> | <u>=\$20.00</u>  |

~~(d)~~(e) For the purpose of computing this fee, typical electric device sizes are listed below, and the proper kilowatt rating must be noted on the application so that the proper fee can be assessed. This typical list is not all-inclusive.

Dishwasher: one and two-tenths (1.2) kilowatts.

Hot-water heater: four and five-tenths (4.5) kilowatts.

Electric dryer: five (5) kilowatts.

Apartment-sized range: eight (8) kilowatts.

Electric baseboard heat: two hundred fifty (250) watts per foot.

Alarm master unit.

Intercom master unit.

All others: apply kilowatt schedule.

(f) Low-voltage service equipment, including service panels, sub-panels, and service entrances.

| Size (amperes) | Fee                      |
|----------------|--------------------------|
| Under 200      | Eighty dollars (\$80.00) |

|                       |   |
|-----------------------|---|
| 200                   | \$160.00  |
| Over 200 to 800       | Two hundred dollars (\$200.00)  |
| <b>Size (amperes)</b> | <b>Fee</b>  |
| 800.01 to 2,000       | \$330.00  |
| Over 2,000            | \$330.00 plus \$120.00 for each additional 500 amperes over 2,000 amperes |

(g) High-voltage service [over six hundred (600) volts] five hundred fifty dollars (\$550.00).

**(h) For electrical work requiring replacement of service entrance conductors or feeder conductors only, the fee shall be based on the designated ampere rating of the overcurrent device of the service or feeder in accordance with 4(f) above.**

(i) Construction temporary pole service including up to ten (10) receptacles: two hundred percent (200%) of the Minimum Fee.

(j) Air conditioners: apply ~~motor~~ **kilowatt** schedule **in 4(c) above.**

(k) Pools:

Above ground pools:

(a) R-5 Use Group: one hundred twenty dollars (\$120.00)

(b) All other Use Groups: two hundred percent (200%) of the Minimum Fee.

In-ground pools:

1. R-5 Use Group: one hundred eighty dollars (\$180.00).

1. All other Use Groups: three hundred percent (300%) of the Minimum Fee.

For pump, bonding and convenience outlet, subpanels, lights, sweepers, etc.: extra at published rates.

Annual pool inspection-commercial pools: two hundred dollars (\$200.00).

(l) Trailer connections: Minimum Fee.

1. Photovoltaic Systems: The fee shall be based on the designated kilowatt rating of each solar photovoltaic system as follows:

~~—One to 50 kilowatts, the fee shall be one hundred forty dollars (\$140.00).~~

~~—Fifty-one to 100 kilowatts, the fee shall be two hundred sixty dollars (\$260.00).~~

~~—Greater than 100 kilowatts shall be five hundred dollars (\$500.00).~~

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| <u>Number of Kilowatts</u>     | <u>Fee</u>       |
|--------------------------------|------------------|
| <u>1-10</u>                    | <u>=\$140.00</u> |
| <u>11-50</u>                   | <u>=\$260.00</u> |
| <u>51-100</u>                  | <u>=\$350.00</u> |
| <u>101-200</u>                 | <u>=\$400.00</u> |
| <u>For each additional 100</u> | <u>=\$75.00</u>  |

(5) **The minimum Fire Sub-code** fee shall be sixty dollars (\$60.00) for the R2 Use Group, seventy dollars (\$70.00) for the R3, R4, and R5 Use Groups and one hundred dollars (\$100.00) for all other use groups. All other fees shall be charged as stated below.

(a) Sprinkler heads.

| Number of Heads | Fee                                   |
|-----------------|---------------------------------------|
| 1 to 5          | Minimum fee                           |
| 6 to 20         | One hundred twenty dollars (\$120.00) |
| 21 to 100       | Two hundred dollars (\$200.00)        |
| 101 to 200      | \$250.00                              |
| 201 to 400      | \$625.00                              |
| 401 to 1,000    | \$850.00                              |
| 1,001 to 1,400  | \$1,100.00                            |
| 1,401 to 1,800  | \$1350.00                             |
| Over 1,800      | \$1600.00                             |

(b) Standpipes Systems-each riser: three hundred dollars (\$300.00) each.

(c) Sprinkler valves:

Alarm valve \$100.00 each

Dry pipe valve \$200.00 each

Pre-action valve \$200.00 each

(d) Fire Pumps Three hundred dollars (\$300.00).

(e) Each Private Fire Hydrant: \$100.00

(f) Installation of Freestanding fire department connection \$200.00

(g) Underground fire service main shall be one hundred dollars (\$100.00) for up to and including the first one hundred feet (100'). Each additional ten feet (10') or portion thereof shall be charged an additional twenty dollars (\$20.00) per ten feet (10') or portion thereof.

(h) Fire Alarms:

(1) Alarm, Supervisory, Monitoring Modules, and Signaling Devices:

**Use Group      Fee (per device)**

R-5            \$5.00

All others      \$10.00

(2) Control Panels: Two hundred dollars (\$200.00) each.

(3) Booster Panels: One hundred dollars (\$100.00) each.

(i) Pre-engineered systems; Wet Chemical, FM-200, Carbon Dioxide, Inergen, Foam

Systems: two hundred dollars (\$200.00) each.

(j) Smoke control systems: Five hundred dollars (\$500.00).

(k) Heat producing devices, chimneys and generators:

The Minimum Fee shall be charged for each of the following: Prefabricated fireplaces, fireplace inserts, solid fuel stoves, pellet stoves, furnaces, metal chimneys, chimney liners and generators.

(l) Commercial kitchen exhaust system and hazardous exhaust systems: Three hundred fifty dollars, (\$350.00), each.

(m) Installation of fuel storage tanks.

Use Group R-5: Minimum fee each.

All other Use Groups: one hundred twenty dollars (\$120.00) each.

(n) Installation of Underground water storage tanks: Two hundred fifty dollars, (\$250.00), each.

(o) Removal of underground storage tanks shall be charged fees as follows:

Eighty dollars (\$80.00) each for the R5 Use Groups.

Two hundred twenty dollars, (\$220.00), each for all other Use Groups.

(p) Removal of above ground storage tanks shall be charged fees as follows:

Minimum fee each for the R3, R4, and R5 Use Groups.

One hundred dollars, (\$100.00), each for all other Use Groups.

**(q) Liquid carbon dioxide system: one hundred fifty dollars (\$150.00) each.**

**(r) Solar array - non-residential Uses: one hundred fifty dollars (\$150.00) each.**

**(6) Elevator Sub code fee.**

~~The initial registration fee for each elevator device in any structure that is not in Use Group R-5 shall be fifty dollars (\$50.00). A re-registration fee of fifty dollars (\$50.00) shall be required for each structure containing one (1) or more elevator devices upon change of ownership.~~

~~(a) Fees for witnessing acceptance tests and performing inspections shall be as follows:~~

~~—The basic fees for elevator devices in structures not in Use Group R-5 shall be as follows:~~

| Type of Elevator                                | Fee                 |
|---|---------------------|
| <del>Traction and winding-drum elevators:</del> |                     |
| <del>1 to 10 floors</del>                       | <del>\$225.00</del> |
| <del>Over 10 floors</del>                       | <del>\$375.00</del> |
| <del>Hydraulic elevators</del>                  | <del>\$200.00</del> |

~~Roped hydraulic elevators ————— \$225.00~~

~~Escalators and moving walks ————— \$200.00~~

~~Dumbwaiters (platform lifts) ————— \$50.00~~

~~Chairlifts, stairway chairlifts, inclined and vertical~~

~~wheelchair lifts and manlifts ————— \$50.00~~

~~— Additional charges for devices equipped with the following features shall be as follows:~~

~~Type of Feature ————— Fee~~

~~Oil buffers (charge per oil buffer) ————— \$40.00~~

~~Counterweight governor and safeties ————— \$100.00~~

~~Auxiliary power generators ————— \$75.00~~

~~— The fee for elevator devices in structures in Use Group R-5 shall be one hundred fifty dollars (\$150.00). This fee shall be waived when signed statements and supporting inspection and acceptance test reports are filed by an approved qualified agent or agency in accordance with N.J.A.C. 5:23-2.19 and 5:23-2.20.~~

~~— The fee for witnessing acceptance tests of and performing inspections of alterations shall be fifty dollars (\$50.00).~~

~~(b) The fees for routine and periodic tests and inspections for elevator devices in structures not in Use Group R-5 shall be as follows:~~

~~— The fee for the six-(6) month (periodic) routine inspection of elevator devices shall be as follows:~~

~~Type of Elevator ————— Fee~~

~~Traction and winding drum elevators:~~

~~1 to 10 floors ————— \$140.00~~

~~Over 10 floors ————— \$180.00~~

~~Hydraulic elevators ————— \$100.00~~

~~Roped hydraulic elevators ————— \$140.00~~

~~Escalators and moving walks ————— \$140.00~~

~~The fee for the one (1) year periodic inspection and witnessing of tests of elevator devices, which shall include a six (6) month routine inspection, shall be:~~

| Type of Elevator                       | Fee      |
|--|----------|
| Traction and winding drum elevators:   |          |
| 1 to 10 floors                         | \$200.00 |
| Over 10 floors                         | \$240.00 |
| Hydraulic elevators                    | \$150.00 |
| Roped hydraulic elevators              | \$200.00 |
| Escalators and moving walks            | \$320.00 |
| Dumbwaiters (chairlifts)               | \$80.00  |
| Inclined and vertical wheelchair lifts | \$120.00 |

~~Additional yearly periodic inspection charges for elevator devices equipped with the following features shall be as follows:~~

| Type of Feature                     | Fee     |
|-------------------------------------|---------|
| Oil buffers (charge per oil buffer) | \$40.00 |
| Counterweight governor and safeties | \$80.00 |
| Auxiliary power generators          | \$50.00 |

~~The fee for the three-(3) year or five-(5) year inspection of elevator devices shall be as follows:~~

| Type of Elevator  | Fee      |
|---|----------|
| Traction and winding drum elevators:                        |          |
| 1 to 10 floors (5-year inspection)                          | \$340.00 |
| Over 10 floors (5-year inspection)                          | \$380.00 |
| Hydraulic and roped hydraulic elevators (3-year inspection) | \$250.00 |
| Hydraulic and roped hydraulic elevators (5-year inspection) | \$150.00 |

~~(c) The fees set forth in Subsection A(5)(b) above shall be paid annually in accordance with the following schedule, which is based on the average of the fees to be collected over a five (5) year period:~~

~~Basic annual fees shall be as follows:~~

~~Type of Elevator Fee~~

~~Traction and winding drum elevators:~~

~~1 to 10 floors \$370.00~~

~~Over 10 floors \$450.00~~

~~Hydraulic elevators \$270.00~~

~~Roped hydraulic elevators \$300.00~~

~~Escalators and moving walks \$460.00~~

~~Dumbwaiters (platform lifts) \$80.00~~

~~Chairlifts, stairway chairlifts, inclined and vertical~~

~~wheelchair lifts and manlifts \$120.00~~

~~Additional charges for devices equipped with the following features as follows:~~

~~Type of Feature Fee~~

~~Oil buffers (charge per oil buffer) \$40.00~~

~~Counterweight governor and safeties \$80.00~~

~~Auxiliary power generators \$50.00~~

~~(d) An administrative fee of fifteen percent (15%) will also be charged to each elevator permit issued, when there is third party enforcement agency involvement.~~

**1. Elevator registration and plan review fees shall be as follows:**

**Initial registration fee for each elevator device in any structure that is not of Group R-3, R-4, or that is not an exempted structure of Group R-2, shall be \$100. A re-registration fee of \$100 shall be required for each structure containing one or more elevator devices, upon change of ownership.**

The fees for plan review for elevator devices in structures of Group R-3, R-4, or R-5 and for elevator devices wholly within dwelling units in structures in Group R-2 shall be \$92 for each device.

The fees for plan review for elevator devices, in structures other than R-3, R-4, or R-5 and devices in structures of Group R-2 exempted above, shall be \$480 for each device.

The fee for registration of elevator devices shall be \$100 and a re-registration fee will be due in the event of a change of ownership.

(b) The fees for witnessing acceptance tests and performing inspections on new and altered devices shall be as follows.

Basic fees for elevator devices in structures not of Group R-3, R-4, or R-5 or in an exempted structure shall be as follows:

Traction and winding drum elevators one to 10 floors: \$448, and over 10 floors: \$747.

Hydraulic elevators: \$398.

Roped hydraulic elevators: \$448.

Escalators/moving walks: \$398.

Dumbwaiters: \$99.

Stairway chairlifts, inclined and vertical wheelchair lifts and man lifts: \$99.

(c) Additional charges for devices equipped with the following features shall be as follows:

Oil buffers, per unit: \$79.

Counterweight governor and safeties: \$199.

Auxiliary generator: \$149.

(d) The fee for elevator devices in structures of Group R-3, R-4 or R-5 or otherwise exempt devices in structures in Group R-2 shall be \$299. This fee shall be waived when signed statements and supporting inspection and an approved qualified agent or agency files acceptance test reports.

(e) The fee for performing minor inspections shall be \$100.

(f) The fees for required routine and periodic tests for escalators in structures not of Group R-3, R-4, or R-5 or otherwise exempt in structures of Group R-2 shall be \$211 for six-month routine inspection.

(g) The fee for the one-year periodic inspection and witnessing of tests of elevator devices, which shall include a six-month routine inspection, shall be as follows:

Traction and winding drum, one to 10 floors: \$398; 10 floors or more: \$478.

Hydraulic elevators: \$299.

Roped hydraulic elevators: \$398.

Escalators/moving walks: \$639.

Dumbwaiters: \$158.

Man lifts, stairway chairlifts, inclined and vertical wheelchair lifts: \$240.

(h) Additional yearly periodic inspection charges for elevators equipped with the following features shall be as follows:

Oil buffers per item: \$79.

Counterweight governor and safeties: \$158.

Auxiliary power generator: \$100.

(i) The fee for the three-year or five-year inspection of elevator devices shall be as follows:

Traction and winding drum elevators, one to 10 floors: \$677; and 10 floors or more: \$853.

Hydraulic and roped hydraulic elevators, three-year inspection: \$498; and five-year inspection: \$299.

(j) The fee for any re-inspection of an elevator device shall be set at \$203 and shall be billed separately from the fees upon the issuance of a notice of violation necessitating a re-inspection.

C. The fee for plan review shall be ~~five percent (5%)~~ **twenty percent (20%)** of the amount to be charged for the construction permit, ~~and shall be paid before the plans are reviewed.~~ **The fee for plan review of prototype plans shall be five percent (5%) of the amount to be charged for the prototype permit.**

D. The fee for review of any amendment or change to a plan that has already been released, **and for any applicable joint plan review between sub-codes on an application, shall** be charged at a rate of forty dollars (\$40.00), per one-half hour, per sub-code. Fees shall be rounded to the nearest one-half hour. A minimum fee of forty dollars (\$40.00) shall be charged.

**(1) Change of Contractor fee: twenty dollars (\$20.00) per Sub-code Technical Section issued.**

E. Variation fees shall be charged as per the building class of the structure as follows:

1. Class 1: Three hundred fifty dollars (\$350.00).

1. Class 2: Two hundred twenty five dollars (\$225.00).

1. Class 3: One hundred dollars (\$100.00).

1. Re-submission of a variation shall be charged fifty percent, (50%), of the original fee.

F. The fees for Certificates of Occupancy shall be as follows:

(1) Certificate of Occupancy. The fee shall be in the amount of ten percent (10%) of the new construction permit fee. The minimum shall be one hundred twenty dollars, (\$120.00), except for one (1) and two (2) family dwellings (R-5) wherein the minimum fee shall be

sixty dollars (\$60.00). This shall apply whether the Certificate of Occupancy is temporary or permanent in nature.

- (2) Temporary Certificate of Occupancy: The fee for Temporary Certificate of Occupancy or extensions shall not exceed \$30. There shall be no fee charged for the first issuance of a Temporary Certificate of Occupancy, provided the Certificate of Occupancy fee is paid at that time.
- (3) (a) The fee for a Certificate of Continued Occupancy shall be two hundred dollars(\$200.00), and shall be required for all changes in occupancy of non-residential Use Groups.  
  
(b) A Certificate of Continued Occupancy issued for a finished basement in a residential Use Group, in which work was completed prior to the issuance of a construction permit, shall be charged a flat fee of four hundred dollars (\$400.00).
- (4) The fee for a Certificate of Occupancy granted to a change of use shall be two hundred dollars (\$200.00).
  1. Occupancy Placards: No fee for the first issuance. Fees for a replacement shall be charged the same as those for a Temporary Certificate of Occupancy as stated in F(2) above.
  1. The fee for a certificate of compliance for hazardous equipment maintained or installed in accordance with the New Jersey Uniform Construction Code, delineating the approval period, shall be one hundred dollars (\$100.00).

**G. Limited certificates of approval.**

- (1) Limitations. Equipment herein below listed, having been determined to create a significant potential for hazard to public health and safety, shall be granted a certificate of approval by the appropriate sub-code official or other approved agency for the duration specified herein:
  - (a) Elevators, six (6) months: twenty-six dollars (\$26.00).
  - (b) Platform lifts, six (6) months: twenty-five dollars (\$25.00).
  - (c) Dumbwaiters, twelve (12) months: twenty-five dollars (\$25.00).
  - (d) High-pressure boilers, twelve (12) months: as provided by the state.
  - (e) Refrigeration systems, twelve (12) months: as provided by the state.
  - (f) Pressure vessels, twelve (12) months: as provided by the state.
  - (g) Cross-connections/Backflow preventers (Backflow Preventers Equipped with Test Ports only), twelve (12) months, each building: ~~fifty dollars (\$50.00)~~ **one**

**hundred dollars (\$100.00) for each up to four (4) Backflow Preventers or portion thereof per building, included in the report provided.**

- (2) Such equipment shall be periodically re-inspected or tested in accordance with the provisions of the regulations prior to the expiration of such certificate of approval and any violations corrected before a new certificate may be issued.
  - (3) No such system or assembly shall continue in operation unless a valid certificate of approval has been reissued. It shall be a violation of the regulations for an owner to fail to provide for such periodic inspection and testing.
  - (4) Revocation: the enforcing agency may revoke a certificate of occupancy whenever a condition of a certificate has been violated.
  - (5) Time limit. The provisions of the regulations do not preclude periodic certification pursuant to other applicable laws or ordinances.
- H.** Lapsed permits. The fee for the reinstatement of a lapsed permit, for which no changes are made or required by mandated code changes, shall be fifty percent, (50%), of the original lapsed permit fee.
- I.** No refunds will be given for inactive permits. Active permits fees may be refunded, in compliance with N.J.A.C. 5:23-2.27 and N.J.A.C 5:23-4.23.
- J.** State of New Jersey permit fees.
1. In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act, the enforcing agency, including the Department when acting as the local agency, shall collect a surcharge fee of \$0.00371 per cubic foot of volume of new construction. The fee for all other construction shall be \$1.90 per one thousand dollars (\$1,000.00) of value of construction. The minimum permit surcharge fee shall be \$1.00. Said surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarters ending March 31, June 30, September 30 and December 31 and not later than one (1) month next succeeding the end of the quarter for which it is due.
  - (2) The enforcing agency shall report annually at the end of each state fiscal year to the Bureau of Housing Inspection, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year. In the fiscal year in which the regulations first become effective, said report shall be for the third and fourth (state fiscal year) quarters.
- K.** Annual permits. The fee to be charged for an annual construction permit shall be charged annually. This fee shall be a flat fee based on the number of maintenance workers who are employed by the facility and who are primarily engaged in work that is governed by a sub-code. Managers, engineers and clericals shall not be considered maintenance workers for the purpose of establishing the annual construction permit fee. Annual permits may be issued for building, fire protection, electrical and plumbing. Fees shall be as follows:

- (1) One (1) to twenty-five (25) workers (including foreman): ~~six hundred eighteen dollars (\$618.00)~~ **nine hundred sixty dollars (\$960.00)** per worker; each additional worker over twenty-five (25): ~~two hundred fifteen dollars (\$215.00)~~ **three hundred sixty dollars (\$360.00)** per worker.
  - (2) Prior to the issuance of the annual permit, a training registration fee of ~~one hundred thirty dollars (\$130.00)~~ **two hundred sixty dollars (\$260.00)** per sub-code shall be submitted by the applicant to the Department of Community Affairs, Construction Code Element, Training Section, along with a copy of the construction permit (Form F-170A). Checks shall be made payable to "Treasurer, State of New Jersey."
- L.** Hourly charges and fees for development-wide inspection of homes after issuance of a Certificate of Occupancy shall be in such amount as may be reasonable and necessary in order to ascertain whether a violation exists or to verify that any work performed has abated the violation.
- (1) The hourly charge shall be the same as the hourly rate set forth in section D above, times the number of hours spent by ~~the~~ **each** code officials in determining whether a violation exists or verifying that any work performed has abated the violations.
- M.** All penalty monies shall be collected under penalty provision of the UCC. All penalties collected shall be retained by the Building Department and shall be placed in a special trust fund to be applied to the cost of the department for training, education, technical support programs, certification, new equipment, and transportation. An independent fund shall be set up and retained by the Director of Finance to be the Trustee of this account.
- N.** The Construction Official shall, with the advice of the Sub-code Officials, prepare and submit to the Township Committee, biannually, a report recommending a fee schedule based on the operating expenses of the agency and any other expenses of the municipality fairly attributable to the enforcement of the State Uniform Construction Code Act.

**Section 2.** 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.** This ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Mayor DeCore stated these proposed changes continue to be a direct result of the 2018 code changes as adopted by the Department of Community affairs which are costing the Township more in overhead. The time it takes for the completion of the plan review and inspection has increased which translates into higher expenses for the Township. The fees associated with a Construction Permit are intended to be relative to the costs incurred by the Township for the plan review and inspection associated with the application. These proposed fees remain equal or eow those charged by neighboring municipalities and the Department of Community Affairs. These fees will be reflective of the costs associated with the permit process. We have not increased these fees since 2014.

Committeeman Lipani reiterated that the fees have not been raised for quite some time.

Upon a motion by Committeewoman McCauley, seconded by Committeeman Lipani, to introduce the Ordinance, the motion was unanimously approved upon the call of the roll.

**2019-09 An Ordinance To Amend, Revise And Supplement Chapter 92 Of The Hillsborough Township Code Entitled “Police Department”, Most Notably Section 92-8b Of The Township Code, Entitled “Promotions”**

**WHEREAS**, the Township Committee wishes to make changes in the current process for certain promotions within the Hillsborough Township Police Department.

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

1. Amend, revise and/or supplement Section 92-8B(2) of the Township Code as follows:

“Promotion of members of the Department shall occur, except as noted below, in the following steps: Police Officer to Sergeant; Sergeant to Lieutenant; Sergeant to Captain and Lieutenant to Captain or Police Chief. The Township Committee can promote a Sergeant to the position of Captain once they have achieved at least two (2) years of permanent status as a Police Sergeant, excluding the probationary period for Sergeant as set forth in Section 92-8B(2) below. The Township Committee can promote other members of the Department more than one (1) rank at any time above the rank of Lieutenant, i.e. from Lieutenant to Chief.”

2. Amend, revise and/or supplement Section 92-8B(4) of the Township Code as follows:

“No Sergeant shall become eligible for a promotion to the rank of Lieutenant until he/she shall have served in the capacity of Sergeant for at least one (1) full year, exclusive of his/her probationary period. A Sergeant shall serve for a probationary period of six (6) months before his/her appointment as Sergeant shall be deemed permanent.

3. Amend, revise and/or supplement Section 92-8B(7)(a)(1) of the Township Code as follows:

“(1) Written exam administered by the New Jersey State Chiefs of Police Association or other organization selected by the Chief of Police. This exam shall be scored on a pass/fail basis. An employee must score at least 70 points on the examination to pass. A pass score is necessary to be considered for the remaining provisions of the promotional selection process for Sergeant, which is set forth below. The results of the examination will be effective for two (2) years from the date of the examination.”

4. Amend, revise and/or supplement Section 92-8B(13) of the Township Code as follows:

“(13) Once a list for promotion has been created identifying the candidate(s) who achieved a passing score for the rank in question, the results of the written examination only, where applicable, shall remain in effect for two(2) years from the date of the examination. The promotion list(s) created by the scoring provisions above shall remain in effect for six (6) months after the promotion(s) is (are) made. However, the Township Committee can, at its sole discretion prior to the expiration of the six (6) months set forth above, extend one (1) or more promotion list(s) for up to an additional six (6) month period. Thereafter, any scoring/interviews, other than the examination where applicable, must be done for each and every promotion.

\*Additions throughout this Ordinance are designated by underlines.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect immediately upon final adoption and publication as required by law.

Mayor DelCore stated this ordinance is to provide minor amendments to the promotional process.

Upon a motion by Committeewoman McCauley, seconded by Committeeman Lipani, to introduce the Ordinance, the motion was unanimously approved upon the call of the roll.

**CONSENT**

**1. Resolution Authorizing Hiring Of Mark Jandoli For The Position Of Building Inspector In The Hillsborough Building Department**

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

**WHEREAS**, the Construction Official recommends the hiring of Mark Jandoli as a full-time Building Inspector effective March 27, 2019 at an annual salary of \$62,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Construction Official is authorized to hire Mark Jandoli as a full-time Building Inspector effective March 27, 2019 at an annual salary of \$62,000.00.

**2. Resolution Authorizing Hiring Of Barry Van Doren For The Position Of Plumbing Inspector In Hillsborough Building Department**

**WHEREAS**, there exists a need for a full-time Plumbing Inspector in the Township of Hillsborough Building Department; and

**WHEREAS**, the Construction Official recommends the hiring of Barry Van Doren as a full-time Building Inspector effective April 1, 2019 at an annual salary of \$62,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Construction Official is authorized to hire Barry Van Doren as a full-time Building Inspector effective April 1, 2019 at an annual salary of \$62,000.00.

**3. Resolution Authorizing The Refund Of Recreation Program Fees**

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee, of the Township of Hillsborough, County of Somerset, State of New Jersey, the Chief Financial Officer is hereby authorized

to refund said amounts as detailed below.

|                      |          |
|----------------------|----------|
| Lidia Walega         | \$55.00  |
| Elizabeth Mellone    | \$740.00 |
| Pooja Laddha         | \$925.00 |
| Johana Rzemieniewski | \$60.00  |
| Shivanjali More      | \$100.00 |
| Allison Rebenack     | \$100.00 |
| Karen Dutta          | \$100.00 |
| Payal Frihart        | \$100.00 |

**4. Resolution Awarding Contract To Signal Control Products For Traffic Signal Repairs At Various Intersections In The Township**

**WHEREAS**, the Director of Public Works has determined the need for traffic signal repairs needed at various intersections in the Township; and

**WHEREAS**, the Director of Public Works and Township Qualified Purchasing Agent recommend the award of a contract to Signal Control Products through New Jersey State Contract #T-1529 in an amount not to exceed \$30,000.00 for the necessary traffic signal repairs; 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 hereby awarded to Signal Control Products through New Jersey State Contract #T-1529 in an amount not to exceed \$30,000.00 for traffic signal repairs.

**5. Resolution Authorizing The Transfer Of Earned Amounts From The Subdivision And Site Plan Engineering Trust Accounts To The Treasurer’s Account**

**WHEREAS**, the Assistant Township Engineer indicates inspections and engineering work have been completed for the indicated projects and recommends funds be transferred from the Engineering Inspection Escrow Accounts to the Treasurer’s Account as set forth below; and

**WHEREAS**, each of the project line items has been verified against the Treasurer’s Office account records 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 the funds set forth herein be transferred from the Engineering Escrow Accounts into the Treasurer’s Account.

| Name | ID | Balance |
|------|----|---------|
|------|----|---------|

|                      |            |                   |
|----------------------|------------|-------------------|
| APEX                 | 0000000673 | -104.85           |
| Country Classics 4A  | 0000000640 | -1329.60          |
| Gateway Phase 7      | 0000000665 | -559.95           |
| Gateway Phase 5      | 0000000614 | -91.02            |
| Gateway Phase 6      | 0000000620 | -1941.97          |
| Green Village        | 0000000607 | -696.48           |
| Hidden Brook Estates | 0000000603 | -391.74           |
| Meadow Brook         | 0000000652 | -1147.56          |
| <b>Grand Total</b>   |            | <b>-\$6263.17</b> |

**6. Resolution Authorizing The Township Planner To Prepare And Submit A 2019 Somerset County Historic Preservation Grant Application For Renovations And Preservation Of The Vanderveer Harris House**

**WHEREAS**, the Township of Hillsborough is desirous to preserve the Township's Historic Vanderveer Harris House; and

**WHEREAS**, the Township Planner has requested authorization for the preparation and submission of a 2019 Somerset County Historic Preservation Grant Application for renovations and preservation of the Vanderveer Harris House.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Township Planner is authorized to prepare and submit a 2019 Somerset County Historic Preservation Grant Application for renovations and preservation of the Vanderveer Harris House.

**7. Resolution Authorizing Extension Of Date For Completion Of Improvements As Set Forth In An Access And Utility Easement Between The Township Of Hillsborough And John C. Zamkotowicz For The Property Known And Designated As Block 199, Lot 18, Township Of Hillsborough, Somerset County, New Jersey**

**WHEREAS**, John C. Zamkotowicz (hereinafter "Zamkotowicz") obtained Preliminary and Final Major Subdivision Approval for four single-family building lots to be known as Lots 18, 18.02, 18.03 and 18.04, Block 199 by the Hillsborough Township Planning Board on September 4, 2008 and a Resolution of Memorialization was adopted for said Preliminary and Final Major Subdivision Approval; and

**WHEREAS**, the Preliminary and Final Major Subdivision Approval was extended by the Permit Extension Act to June 30, 2016 and then thereafter by approvals of the Planning Board granting three (3) separate one (1) year extension to June 30, 2017, June 30, 2018 and June 30, 2019; and

**WHEREAS**, pursuant to the provisions of the Final Major Subdivision Plan and said Resolution of Memorialization, access to new Lots 18.02, 18.03 and 18.04, Block 199 only will be via a "paper street" known as Vroom Drive which is shown on a certain map known as "Roycebrook Estates, Section 1" which was filed in the Somerset County Clerk's Office as Map Number 1251; and

**WHEREAS**, the Township of Hillsborough adopted Ordinance No. 2011-06 authorizing the sale by auction of said easement over Vroom Drive in accordance with N.J.S.A. 40A:12-13(a); and

**WHEREAS**, Zamkotowicz was the successful bidder at the sale which was an auction sale made by the Township of Hillsborough; and

**WHEREAS**, pursuant to said Ordinance No. 2011-06 and a subsequent contract of sale between the Township of Hillsborough and Zamkotowicz, the Township granted and conveyed to Zamkotowicz the attached Access and Utility Easement dated September 28, 2011 and recorded by the Somerset County Clerk on December 13, 2011 in Book 6474, Pages 1169-1178; and

**WHEREAS**, pursuant to the terms of the Access and Utility Easement, Zamkotowicz was to complete all improvements set forth therein by June 16, 2013, and upon failure to do so, all easement rights would automatically revert to the Township and all rights of Zamkotowicz would be terminated; and

**WHEREAS**, Zamkotowicz previously requested and the Township granted extensions of time for Zamkotowicz to complete the improvements set forth in the Access and Utility Easement; and

**WHEREAS**, Zamkotowicz indicates the property is currently under contract to be sold and requests an extension of time for the completion of the improvements set forth in the Access and Utility Easement to December 31, 2019.

**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 date for completion of all improvements set forth in the attached Access and Utility Easement between John C. Zamkotowicz and the Township of Hillsborough shall be extended to December 31, 2019; and (2) all other terms of the Access and Utility Easement shall remain unchanged.

**8. Resolution Authorizing The Posting For The Position Of Finance Clerk In The Township Of Hillsborough's Finance Office**

**WHEREAS**, there exists a vacancy in the Finance Department for the position of Finance Clerk; and

**WHEREAS**, the Chief Finance Officer has determined that the position needs to be filled as soon as possible and thereby requests authorization to post for the position of Finance Clerk.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it does hereby authorize the Chief Finance Officer to post for the position of Finance Clerk.

**9. Resolution Authorizing The Township Attorney In Consultation With The Tax Assessor To Take Actions Deemed Necessary And In The Best Interests Of The Township Pertaining To Tax Appeals**

**WHEREAS**, due to the nature and time constraints of the County Tax Board Appeal process, the Township Committee finds it to be in the best interests of the Township to authorize the Township

Attorney in consultation with the Tax Assessor to file with the Somerset County Tax Board all pleadings and counterclaims deemed necessary and in the best interests of the Township and to revise and correct assessments and settle such tax appeals on behalf of the Township of Hillsborough as deemed appropriate; and

**WHEREAS**, due to the nature and time constraints of the pleading process at the State of New Jersey Tax Court, the Township Committee further finds it to be in the best interests of the Township to authorize the Township Attorney in consultation with the Tax Assessor to file with the State of New Jersey Tax Court all pleadings and counterclaims deemed necessary and in the best interests of the Township of Hillsborough and take such actions in the litigation as deemed appropriate.

**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 in consultation with the Tax Assessor is hereby authorized to file with the Somerset County Tax Board all pleadings and counterclaims deemed necessary and in the best interests of the Township and to revise and correct assessments and settle such tax appeals on behalf of the Township of Hillsborough as deemed appropriate; and (2) the Township Attorney in consultation with the Tax Assessor is hereby authorized to file with the State of New Jersey Tax Court all pleadings and counterclaims deemed necessary and in the best interests of the Township of Hillsborough and take such actions in the litigation as deemed appropriate.

**10. Resolution Authorizing The Mayor And Township Clerk To Execute The 2018-2020 Collective Bargaining Agreement Between The Township Of Hillsborough And Teamsters Local 469**

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that (1) the 2018-2020 collective bargaining agreement between Hillsborough Township and Teamsters Local 469 is acceptable and approved; and (2) the Mayor and Township Clerk are authorized to execute the agreement.

Mayor DelCore welcomed Mark Jandoli to a full time position as a Building Inspector and Barry Van Doren as a Plumbing Inspector.

**11. A Resolution Authorizing The Designation Of Rpm Development Group As Redeveloper Of Those Certain Parcels Of Property Located At Block 86, Lot 21, Located Within The Township Of Hillsborough And Authorizing The Mayor And Township Clerk To Execute Any And All Necessary Documents Or Agreements To Effectuate The Terms And Conditions Of This Resolution**

**WHEREAS**, the Township is the owner of certain parcels of property referred to as Block 86, Lot 21 and Block 90, Lot 6.01, on the Tax Map of the Township of Hillsborough (hereinafter the "Property"), which is in an area that has been designated by the Township as an area in need of rehabilitation pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (hereinafter the "LRHL"); and,

**WHEREAS**, the Township adopted the Sherman Redevelopment Plan (hereinafter the "Plan") pursuant to the LRHL to govern the redevelopment of the Property; and,

**WHEREAS**, the Township is seeking to appoint a redeveloper to develop a portion of the Property, said development to be known as Phase One and as further defined in a Redeveloper Agreement between the Township and the designated redeveloper pursuant to Section 9 of the LRHL; and

**WHEREAS**, RPM Development Group (hereinafter "RPM") has submitted a proposal to be designated as the redeveloper of Block 86, Lot 21, a copy of which is on file with the Township Clerk and is incorporated herein; and

**WHEREAS**, RPM proposes to construct 88 residential dwelling units in Phase One of the project as set forth in the Plan; and

**WHEREAS**, the Township Committee has reviewed the Proposal and found same to be generally consistent with the intent of and uses set forth in the Plan and wishes to designate RPM Development Group as the Redeveloper for Phase One only; and,

**WHEREAS**, the Redeveloper shall comply with the Plan and/or shall apply to the Planning Board for all necessary approvals and/or permits as may be required under the Plan and/or may seek an amendment of the Plan by request to the Township Committee.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough that: (1) the above recitations are incorporated herein as if set forth at length; (2) RPM Development Group is hereby designated as the Redeveloper for a portion of the Property, more specifically Block 86, Lot 21, as to Phase One only; (3) this designation is expressly contingent upon any amendment, if necessary, to the Plan and/or approvals from the Planning Board; (4) this designation is expressly contingent upon the Redeveloper being responsible for and assuming all costs incurred by the Township, including, but not limited to legal, appraisal, title, environmental, financial, engineering, etc.; (5) this designation is also expressly contingent upon the Redeveloper obtaining all funds necessary for the acquisition, relocation, property maintenance and demolition, any and/or all of which if necessary, at the Property and the construction of the proposed Project as to Phase One only; (6) this designation herein shall continue until the development of Phase One of the Property by the Redeveloper or the written cancellation of the redeveloper designation by the Township of the Redeveloper upon sixty (60) calendar days notice or written notice to the Township by the Redeveloper with thirty (30) calendar days notice seeking to withdraw as Redeveloper; and (7) the Mayor and Township Clerk are hereby authorized to execute any and all documents and/or agreements necessary to effectuate this Resolution on behalf of the Township, subject to review and approval of the Township Affordable Housing Attorney.

Mayor DelCore welcomed Mark Jandoli to a full time position as a Building Inspector and Barry Van Doren as a Plumbing Inspector.

Township Administrator Anthony Ferrera welcomed the new full time employees as well.

Upon a motion by Committeewoman McCauley, seconded by Committeewoman Holmes, the consent agenda was unanimously approved upon the call of the roll.

## **CLAIMS LIST**

Mayor DelCore asked to approve Claims List 2019-05.

Upon a motion by Committeewoman Holmes, seconded by Committeewoman McCauley, Claims List 19-05 was approved upon the call of the roll.

**ADJOURNMENT**

Upon a motion by Deputy Mayor Tomson, seconded by Committeewoman McCauley, the meeting duly adjourned at 9:41 pm. Said motion was unanimously carried upon voice vote.

Attested:

Pamela Borek  
Township Clerk