

Minutes of the Regular Meeting of the Township Committee of the Township of Hillsborough, in the County of Somerset, State of New Jersey, held in the Municipal Complex at 7:30 p.m. on the above date.

Upon call of the roll, the following Committee members were recorded present: Committeeman Anthony Ferrera, Committeeman Carl Suraci, Committeeman Robert C. Wagner, Jr., Deputy Mayor Gloria McCauley and Mayor Frank DelCore. Also, in attendance were William Willard, Attorney At Law, DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, Township Administrator/Clerk Kevin P. Davis and Administrative Assistant Siobhan Weikel.

Following Roll Call and Salute to the Flag, Mayor DelCore advised that notice of this Regular Session was made in accordance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975, by posting on the bulletin board at the Municipal Building and by mailing to the Township's official newspapers, a notice that this regular session would take place at the Hillsborough Municipal Building at 7:30 p.m. on March 23, 2010.

PROCLAMATIONS

- *Proclamation honoring Elizabeth Baldwin for the Outstanding Women of Somerset County Volunteerism Award*

WHEREAS, Hillsborough Township resident Elizabeth Baldwin will be recognized by the Somerset County Commission on the Status of Women in celebration of Women's History Month when they present their awards on March 26th at the Imperia; and

WHEREAS, Ms. Baldwin will be honored for her contributions in the category of Volunteerism; and

WHEREAS, Ms. Baldwin's tireless devotion, leadership and vision were instrumental in the establishment of Hillsborough's Camp H.E.A.R.T., an inclusive Recreation program for children with disabilities; and

WHEREAS, Ms. Baldwin has been influential in successfully obtaining grants for Camp H.E.A.R.T from The State of NJ, Magyar Bank and the United Way; and

WHEREAS, Ms. Baldwin has also played a key leadership role in the establishment of an inclusive playground to be located at Ann Van Middlesworth Park in Hillsborough by preparing and submitting grant applications to several grant sources; and

WHEREAS, Ms. Baldwin volunteers as part of the Mayor's Wellness Program where the State of NJ/ American Heart Association recognized Hillsborough Township with the "Fit Friendly Award"; and

WHEREAS, Ms. Baldwin has volunteered to help the Township's Senior Citizens by visiting various businesses to donate to the Senior Citizens Health Fair as well as securing speakers to present at external events to all Hillsborough residents; and

WHEREAS, Ms. Baldwin has recently taken the lead as part of the team to seek grants to help build a Universal Playground for all children in Somerset County.

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Township Committee of the Township of Hillsborough that Ms. Elizabeth Baldwin is hereby recognized for her unwavering commitment to helping the community.

BE IT FURTHER PROCLAIMED that we join the Somerset County Commission on the Status of Women in saluting Ms. Elizabeth Baldwin for a job well done and wish her continued success in the future.

- Proclamation honoring Susan Sturges Spagnola for the Outstanding Women of Somerset County Volunteerism Award

WHEREAS, Hillsborough Township resident Susan Sturges Spagnola will be recognized by the Somerset County Commission on the Status of Women in celebration of Women's History Month when they present their awards on March 26th at the Imperia; and

WHEREAS, Ms. Spagnola will be honored for her contributions in the category of Law; and

WHEREAS, Ms. Spagnola is a former Assistant Corporate Secretary and Assistant General Counsel and de facto ethics officer of JPMorgan Chase & Co.; and

WHEREAS, prior to leaving the firm in December 2002, she held a variety of positions with JPMorgan Chase and its predecessor institutions, with an emphasis on Federal bank regulatory matter, Federal securities laws, director and officer liability, corporate governance and business ethics; and

WHEREAS, in addition to being responsible for coordinating a wide variety of compliance processes and procedures, she regularly oversaw and interacted with outside counsel handling matters related to her areas of responsibility, including public offerings, proxy statements, and director and officer liability and conflicts of interest; and

WHEREAS, as a current president and founding trustee for the Hillsborough Education Foundation, Ms. Spagnola has been a driving force behind the establishment and funding of numerous community programs which reach across all ages, including a senior citizen computer program, adult transitioning grants for career changes, innovative education grants in the public schools, and donations to public student athletic facilities; and

WHEREAS, during the 13 year existence of the Foundation, over \$500,000 has been raised and donated to encourage life-long learning and to build understanding between the generations in the community; and

WHEREAS, as an attorney, Ms. Spagnola has provided guidance to small cap public and private companies in various matters. She has focused on giving legal advice to nonprofit organizations, ranging from small organizations in theater to lung cancer research; and

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Township Committee of the Township of Hillsborough that Susan Sturges Spagnola is hereby recognized for her unwavering commitment to helping the community.

BE IT FURTHER PROCLAIMED that we join the Somerset County Commission on the Status of Women in saluting Susan Sturges Spagnola for a job well done and wish her continued success in the future.

- Proclamation honoring Richard Norz for New Jersey's 2010 Outstanding Young Farmer Award

WHEREAS, Hillsborough Township resident, Rich Norz, a fourth generation farmer from Hillsborough in Somerset County has been chosen as one of four National Outstanding Young Farmers administered by the United States Junior Chamber of Commerce, New Jersey Department of Agriculture; and

WHEREAS, Mr. Norz was also honored as New Jersey's 2010 Outstanding Young Farmer by the State Board of Agriculture; and

WHEREAS, Mr. Norz operates Norz-Hill Farm, growing a variety of produce, operating a farm stand, raising and breeding Holsteins and running an agri-tourism operation that attracted more than 20,000 visitors last year; and

WHEREAS, the Norz farm was started in 1920 by Norz' grandparents, they currently rent 1, 425 acres, of which about 80 acres is permanently preserved; and

WHEREAS, Mr. Norz has bred 70 animals that have been rated "excellent" and has cows that have won Grand Champion and Junior Champion in the state several times and has been named Premier Breeder four times; and

WHEREAS, in the fall, the farm hosts a pumpkin patch, hayrides, haunted trail and corn maze while also providing educational tours for grade school and pre-school children; and

WHEREAS, the national competition, sponsored by the Outstanding Farmers of America Fraternity and National Association of Agricultural Agents, had initially sponsored 44 national applicants; and

WHEREAS, the group was narrowed down to 25, then cut down to the top 10 and finally to the last four in the beginning of February 2010; and

WHEREAS, Mr. Norz and his wife, Debbie, achieved the recognition during an awards banquet and ceremony.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Township Committee of the Township of Hillsborough, do hereby commend Rich Norz for his dedication to duty and an unwavering commitment to the community while also withholding his family obligations to the Norz Hill Farm upkeep.

Committeeman Ferrera congratulated Mr. Norz and thanked him for his volunteerism.

APPROVAL OF MINUTES

- Approval of the February 23, 2010 Regular Session Minutes

Upon motion by Committeeman Wagner, seconded by Committeeman Ferrera, the minutes of the February 23, 2010 Regular Session were approved upon the call of the roll.

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

Committeeman Ferrera

Committeeman Ferrera reported on the recent storm. There were sixteen roads closed throughout Hillsborough. OEM personnel were at Police Headquarters on Saturday and Sunday monitoring and assisting numerous occurrences.

Committeeman Ferrera said he met with FIMA and put the preliminary reports in, to make sure we receive any funding that is available.

Committeeman Ferrera reported the fire companies responded to approximately thirty flooded basements. Committeeman Ferrera thanked the volunteer fire departments for all their hard work in helping the residents.

Committeeman Ferrera reported the police and fire companies responded to twenty-two reports of down power lines. Also, the police, fire companies and rescue squad responded to two vehicles in flooded waters. The rescue squad did evacuate one elderly person on Millstone-River Road. Two residents had fallen trees on their homes.

Committeeman Ferrera said our CERT Team, made up of volunteers, assisted Manville and Bound Brook with severe flooding.

Committeeman Ferrera thanked all emergency personnel.

Committeeman Ferrera thanked the Department of Public Works for all their efforts with the clean-up of trees and branches, and also for putting up barricades.

Committeeman Ferrera said he had the opportunity to go to Trenton and listen to the Governor's speech and spoke about the state budget proposal. Committeeman Ferrera said one element of the budget proposal that makes a lot of sense is converting the homestead rebate program into a direct property tax credit, which ends the costly practice of borrowing more than a billion dollars each year to send out checks.

Committeeman Ferrera reported on another aspect of the Governor's speech; the toolkit, which is going to help the local municipalities and the local school boards. Committeeman Ferrera explained, the toolkit helps put constitutional caps on spending and local taxes, pension and benefit reform, civil service reform, collective bargaining reform and management reform.

Committeeman Suraci

Committeeman Suraci reported Hillsborough, along with all other municipalities and school districts in New Jersey, received the grim news last week that state support will be cut. Hillsborough Township will see an \$838,000 reduction in both consolidated state aid and energy tax receipts distributions, as compared with 2009. Consolidated aid from the state will be \$211,000, a reduction of about \$237,000 from 2009. That aid was \$1.2 million in 2005.

Committeeman Suraci explained energy tax receipts, which are monies collected by the state to be distributed to municipalities to make up for the fact that energy facilities do not pay property taxes, so it is not really aid it is a payment in lieu of taxes, are reduced in Hillsborough by nearly \$600,000. This is a dramatic reduction in state support that will impact on everyone, local government employees, and the ability of the Township to offer certain services.

Committeeman Suraci reported the aid cuts come on top of the increases for items beyond the control of the Township that he reported on previously. These include health benefit costs, fire hydrant payments, insurance increases, and pension payments which already exceed \$680,000 and the Township 4% cap. None of those costs can be reduced, so we have to look elsewhere.

Committeeman Suraci said as Governor Christie has said, this is not easy and everyone will have to sacrifice. We recognize that the Governor and Legislature face a financial crisis of incredible proportions with the state budget, and that cuts had to be made nearly everywhere. We are not here to complain about the cuts. This Township Committee will hold up our end. We will make budget cuts, we will closely examine municipal spending; including, the cost of employees, employee benefits, and public union contracts. Salary freezes, reduction of benefits, and employee furloughs are definitely on the table.

Committeeman Suraci said he along with Deputy Mayor Gloria McCauley have directed most municipal Department Heads to resubmit their budgets with a 10% reduction in operational accounts. This is a significant cut. It could hamper the delivery of some services, and we will be monitoring that issue as we did last year. It will save \$150,000, while it doesn't cover the aid reduction, it is a start.

Committeeman Suraci said Hillsborough does not enter this new situation cold. This Township has consistently found ways to save tax dollars and has run the municipal government with a business like philosophy. Committeeman Suraci said he will speak more about those issues when we reach consideration #7.

Committeeman Suraci said however, there will be changes resulting from the state aid loss this year, and for how we have to prepare for the future. The Governor says it will not be easy, but here in Hillsborough, we are up to the task.

Committeeman Wagner

Committeeman Wagner said Hillsborough is an award winning community and last week, to add to our luster, the Township received the 1st place Safety Award, as the safest municipality in the Central Jersey Joint Insurance Fund.

Committeeman Wagner reported over the past few years Hillsborough has finished in 2nd and 3rd place among the nine municipalities represented in the JIF, but this is the first time the Township has achieved the number 1 ranking.

Committeeman Wagner said this award is a credit to the Township's Safety Director, Public Works Director Buck Sixt, and the Committeeman said Mr. Sixt receives great support from DPW Secretary Kathy Wesolowski, as well as the cooperation of all municipal personnel. Committeeman Wagner congratulated Buck Sixt for an outstanding job.

Committeeman Wagner explained the Safety Director responsibilities are just another one of those extra duties performed by Township personnel at no additional compensation. With the First Place Award, the Township receives a \$1500 contribution for use in purchasing additional safety equipment or training. The Committeeman said by reducing accidents and ensuring that all employees have a safety first attitude, the Township's overall insurance experience benefits, which ultimately translates into savings in future insurance calculations.

Deputy Mayor McCauley

Deputy Mayor McCauley stated Sustainable Hillsborough and the DPW workers are sponsoring a Township clean up day, along with our Boy Scouts and Girl Scouts. This will be on April 10th from 9 to 12 p.m. at the Municipal Building. Coffee and bagels will be served in the morning and pizza in the afternoon. Please RSVP by April 3rd to Rebecca Marshall in the Planning Department at rmarshall@hillsborough-nj.org.

Deputy Mayor McCauley said the fourteenth EBDC Social will be on April 6th from 6-8 p.m., Congressman Lance is the guest speaker. The Congressman will talk about small business and taxes. Please register on the town website at hillsboroughbusiness-nj.org.

Mayor DelCore

Mayor DelCore reported effective at midnight on March 17th the Norfolk Southern rail line ended the sounding of train horns at the Roycefield and Valley Road rail crossings. This set in place a complete railroad quiet zone along the length of the Norfolk Southern line in Hillsborough and encompassing four crossings, including the earlier quiet zones at Beekman Lane and Auten Road.

Mayor DelCore reported prior to the establishment of the quiet zones, the train engineer was required by federal regulation to sound the train horn four times prior to each of the four rail crossings. That meant that the train horn sounded sixteen times, at all hours of the day and night. Today, that is no longer the case.

Mayor DelCore said we are advised that there may be an occasion when the engineer sounds the horn, particularly if someone is seen walking along the rail line and if the safety mechanisms at the crossing malfunction. That is, however, the exception to the rule.

Mayor DelCore said in general, the Hillsborough homeowners living in proximity to the rail line should have a significant improvement in their quality of life.

Mayor DelCore said the Township Committee, our staff, and the consultants worked long and hard to successfully overcome the bureaucratic requirements necessary to gain the quiet zones.

Mayor DelCore thanked Norfolk Southern, the NJDOT and the federal railroad Administration for their cooperation and Beazer Homes for their developer contribution which made funding the project possible.

Mayor DelCore stated as Committeeman Suraci discussed, the new round of cuts to state support presents some never before seen challenges to municipal finances and government operations. The Mayor said the key for this Township Committee is to ensure that any reduction to services is minimized. Over the past several years, Hillsborough has lead the way in operating in a prudent, fiscally conservative fashion; reducing the full time payroll, combining positions, and pay as you go financing for routine improvements.

Mayor DelCore said we have been making these changes while other communities have not. However, the Mayor agreed that the Township will now have to do even more.

Mayor DelCore said the cost of government is the cost of employees, therefore there will be an examination of public employee salaries, benefits, and contract issues and some dramatic changes will be sought. But these changes will only come after a very careful and thoughtful approach to the issues. The local government still must operate and must deliver needed services for residents.

Mayor DelCore reported we will also be monitoring actions in Trenton, to ensure that the so called tools with regard to changes in collective bargaining rules and pension changes proposed by the Governor move through the legislative process quickly enough to help Hillsborough.

Mayor DelCore reported, Governor Christie said in his budget speech last week: "The time for change has arrived, and it is time to get to work." And, while we have already been doing this work, we now must work harder.

Committeeman Ferrera made a motion to endorse the Governor's plan, to provide municipalities and school districts a tool kit of reforms to control spending and property taxes, to urge the legislature to enact this plan. Said motion was seconded by Committeeman Wagner and unanimously adopted by voice vote.

- *Honoring Amsterdam School for supporting our servicemen and women overseas.*

WHEREAS, Ms. Jone's 2009 Amsterdam School second grade class support the United States Military both here and abroad; and

WHEREAS, the second grade class understands that the military sacrifices their safety in order to protect the citizens of the United States; and

WHEREAS, the second grade class wanted to show their appreciation in a tangible way; and

WHEREAS, the 2009 Amsterdam School second grade class rose to the challenge of being exemplary citizens of Hillsborough Township; and

WHEREAS, all students created beautiful holiday cards, ginger bread necklaces and sent out care packages to the troops.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Township Committee of the Township of Hillsborough, do hereby commend all of the members of Ms. Jone's second grade class, for the beautiful holiday cards, ginger bread necklaces and care packages sent to the troops, but also for their compassion, gratitude, and good citizenship.

BE IT FURTHER PROCLAIMED that we, the Mayor and the Township Committee, further commend the 2009 Amsterdam School second grade class for the honor that they have brought to themselves, their school and our community through their kindness and generosity.

NEW BUSINESS

- *None at this time.*

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

Tom O'Donnell, 33 Anne Street said the Claremont community is receiving bids for the homeowners to connect to the sewers. Mr. O'Donnell questioned financing for the Claremont sewer project. Mr. Davis said he believes the Hillsborough Municipal Utilities Authority provides a program for partial payments over a period of time for the connection.

Tom O'Donnell said he has been closing watching the Gateway at Sunnymead project and the request for them to significantly alter the plans. Mr. O'Donnell mentioned that there is a Planning Board meeting this Thursday night. Mr. O'Donnell said this is a project that potentially has a significant impact on our quality of life especially with our school budget losing 5.1 million dollars, and it is not known how many school age children would come into the township as a result of changes to the project

Mr. Davis said residents should attend the Planning Board meeting and find out the facts about the impact of this change. Mr. Davis said it is unfortunate that this law that Governor Corzine signed last year, which allows for the conversion of age restricted units to non-age restricted units, does not have in its criteria any concern for the impact on a municipality financially. Mr. Davis said this is a great concern for everyone because it is not one of the elements that need to be addressed by the developer in the process of going back to the Planning Board for approval.

Lauren Iannucci, 29 Van Bolton Road, said there are many cars that speed down her street and she is very concerned.

Mayor DelCore and Committeeman Ferrera assured Ms. Iannucci that this matter will be investigated and handled. Chief Kaminsky also told Ms. Iannucci to call him tomorrow regarding this matter.

PUBLIC HEARINGS

Ordinance 2010-05 An Ordinance Amending Chapter 188 (Development Regulations), Article V(Districts and Standards) of the code of the Township of Hillsborough, County of Somerset, State of New Jersey, to permit commercial instructional activities in the C-1, OLC and P/R Districts.

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

Section 1. Amend Chapter 188 of the Code of the Township of Hillsborough by revising Section 100 B to include the following:

(8) Commercial instructional activities.

Section 2. Amend Chapter 188 of the Code of the Township of Hillsborough by revising Section 101 B to include the following:

(7) Commercial instructional activities.

Section 3. Amend Chapter 188 of the Code of the Township of Hillsborough by revising Section 102 B to include the following:

(6) Commercial instructional activities.

Section 4. Severability. If any provisions of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable there from.

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

Committeeman Ferrera moved to open the public hearing on Ordinance 2010-05. Said motion was seconded by Committeeman Suraci and carried unanimously upon call of the roll.

Mayor DelCore reported ordinances 2010-05 and 06 are recommendations of the Regulatory Oversight Working Group, have been approved by the Planning Board, and are components of the Township's continuing Economic Action Plan.

Mayor DelCore said ordinance 2010-05 permits commercial instructional activities, such as Karate, art schools or dancing schools, in the C-1, OLC, and P/R zones. This change is expected to open up more business uses in buildings in these zones and, we believe, add to employment opportunities and economic growth.

Mayor DelCore said Mr. Ringelheim, the Township Planner, is with us this evening to further review this ordinance.

Mr. Ringelheim said commercial instructional activities were previously defined after the 2005 Master Plan amendment was approved and it was put into effect in some of the newer commercial zones, including the Highway Service District and the Town Center. Mr. Ringelheim said it was suggested that there were three commercial zones that remain that did not allow these activities, so now we are proposing to extend this commercial use into the remaining three commercial zones, the C1, OLC and PR Districts.

Committeeman Ferrera moved to close the public hearing on Ordinance 2010-05. Said motion was seconded by Committeeman Suraci and carried unanimously upon call of the roll.

Committeeman Ferrera moved to adopt Ordinance 2010-05. Said motion was seconded by Deputy Mayor McCauley and carried unanimously upon call of the roll.

Ordinance 2010-06 An Ordinance Amending Chapter 188 (Development Regulations) of the code of the Township of Hillsborough, County of Somerset, State of New Jersey, to revise the conditions to allow tenants in industrial buildings.

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

Section 1. Chapter 188 of the Code of the Township of Hillsborough shall be amended be revising Section 74 to include Subsection C as follows:

C. Individual industrial buildings may contain more than one (1) principal permitted use provided that the required amount of off-street parking is provided on-site.

Section 2. Severability. If any provisions of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable there from.

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

Committeeman Suraci moved to open the public hearing on Ordinance 2010-06. Said motion was seconded by Deputy Mayor McCauley and carried unanimously upon call of the roll.

Mayor DelCore reported this regulatory change eliminates a square footage minimum in buildings for commercial and industrial uses that are already permitted in a zone. The change is designed to open up industrial building uses again to create more business opportunities and, therefore, local job and economic growth. These two Economic Acton Plan ordinances bring to 19 the total number of regulatory changes that have been put in place since this program began in January, 2009.

Mayor DelCore said each change has been carefully considered under planning guidelines. This is evidenced by the fact that the Somerset County Planning Board recognized Hillsborough's Economic Action Plan with an excellence in planning award and the Somerset County Business Partnership has included the Plan in their recommendations as a Best Practices Model.

Mayor DelCore said Mr. Ringelheim will also provide background on this proposed change.

Mr. Ringelheim said right now individual tenants in industrial buildings are permitted at a minimum of 1500 square feet, however, after further review the new standard is going to be, instead of the minimum floor area being met, that they will have to meet the off street parking requirements. Mr. Ringelheim said this is more of an objective test for allowing tenants in a building. The provision will now be that individual tenants can be in industrial buildings subject to meeting the off street parking requirements.

Deputy Mayor McCauley stated the owners of buildings should find it easier, simpler and more stream-lined in gaining tenants as we move the bureaucracy out of the way.

Deputy Mayor McCauley said several new businesses on Old Camplain Road were able to open in those existing buildings when a similar regulation was changed in 2009, to allow more than one principal use to share a common building, without the extra time and cost of seeking a zoning variance thus broadening opportunities for business and job growth. The result of increased tenancies means jobs and positive impact in the Township.

Deputy Mayor McCauley said although we have made many positive changes already, we will continue to try and find more.

Committeeman Ferrera moved to close the public hearing on Ordinance 2010-06. Said motion was seconded by Committeeman Wagner and carried unanimously upon call of the roll.

Deputy Mayor McCauley moved to adopt Ordinance 2010-06. Said motion was seconded by Committeeman Suraci and carried unanimously upon call of the roll.

Ordinance 2010-07 An Ordinance Amending Chapter 188 (Development Regulations), Article V (Districts and Standards) of the code of the Township of Hillsborough, County of Somerset, State of New Jersey, to eliminate the bulk requirements for lots which are less than 3 acres in the AG District as contained in Section 188-99.3 I(2)(b).

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

SECTION 1. Amend Chapter 188 of the Code of the Township of Hillsborough by eliminating Section 99.3 I(2)(b).

SECTION 2. Severability. If any provisions of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions, which shall be deemed severable there from.

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

Committeeman Suraci moved to open the public hearing on Ordinance 2010-07. Said motion was seconded by Committeeman Wagner and carried unanimously upon call of the roll.

Mayor DelCore said this ordinance change is designed to clarify and protect the integrity of the current 10 acre development minimum in the Agricultural Zone. It is not part of the economic action plan.

Mayor DelCore said as Mr. Ringelheim explained when this ordinance was introduced, when the 10 acre Agricultural or AG zone was adopted in September, 2003 a section, section B, was added to the ordinance, in order to offer guidance to the Zoning Board of Adjustment for considering applications for variances. Section B can be confusing and it is the recommendation of the Planning Board and the Planning staff that it be removed, as it has not impact on the 10 acre zoning requirement. This ordinance removes Section B.

Mayor DelCore explained that this ordinance does not change, or in any way affect the 10 acre zoning minimum in the AG zone.

Mayor DelCore said Mr. Ringelheim can provide additional information.

Mr. Ringelheim stated, section 99.3 I, permits lots that are containing at least 3 acres that are grandfathered in the AG zone, subject to meeting the bulk requirements in subsection A. When the ordinance was first adopted, we have 10 acre lots, and any new lot has to be 10 acres. Then we have the grandfathering provision under subsection A for 3 acres, and subsection B caused some confusion because it provides additional bulk requirements. But, it was meant as just a guiding principal for future lots that were less than 3 acres; however, lots less than 3 acres still need a variance. Mr. Ringelheim said to prevent further confusion the recommendation is to eliminate subsection B.

Deputy Mayor McCauley moved to close the public hearing on Ordinance 2010-07. Said motion was seconded by Committeeman Suraci and carried unanimously upon call of the roll.

Committeeman Wagner moved to adopt Ordinance 2010-07. Said motion was seconded by Deputy Mayor McCauley and carried unanimously upon call of the roll.

INTRODUCTION OF NEW ORDINANCES

Ordinance 2010-12 An Ordinance Amending Chapter 177 of the code of the Township of Hillsborough, titled "Games of Chance", by authorizing the Township Clerk to act as the issuing authority for Bingo and Raffle Licenses and adding a new section, titled "Suspension or Revocation of Licenses. *Further consideration of this ordinance and public hearing will be held on April 27, 2010.*

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

Section 1. Chapter 177 of the Code of the Township of Hillsborough, titled "Games of Chance", is amended to add a new Subsection 1 authorizing the Township Clerk to act as the issuing authority for bingo and raffle licenses as follows:¹

§ 177-1 Issuing authority.

The issuing authority for the Township of Hillsborough responsible for approving bingo and raffle licenses shall be the Township Clerk.

Section 2. Section 177-1 of the Code of the Township of Hillsborough titled "Bingo prohibited on Sundays" is renumbered Section 177-2.

Section 3. Section 177-2 of the Code of the Township of Hillsborough titled "Conduct of raffles on Sundays with special permission" is amended as follows:

§ 177-3 Conduct of raffles on Sundays with special permission.

Deleted: 2

A. No raffle or other game of chance in which cash or merchandise shall be offered as a prize shall be conducted on Sundays, unless it shall be specifically permitted in the license for the holding, operation and conducting of such raffle or game of chance issued by the Township of Hillsborough Clerk.

Deleted: the first day of the week, commonly known and designated as

B. The applicant for a license to conduct a raffle or other game of chance who desires permission to conduct such raffle or game of chance on Sundays must specifically request such permission in its application, must specify the type and nature of the game for which such permission is sought and must demonstrate good cause for the issuance of such special permission.

Deleted: the day commonly designated as

C. Any applicant who fails to specifically request such special permission or fails to demonstrate good cause for the issuance of such special permission shall not be permitted to conduct such games on Sundays.

¹ Editor's Note: The portions to be deleted are shown with strike-outs and will be deleted from the codified version of this Ordinance and the text of the underlined portions will remain in the codified version of this Ordinance.

D. The Township Clerk may, in his or her discretion and for good cause shown and subject to the conditions set forth in Subsection E below, issue a license to conduct raffles or other games of chance which would permit the conduct of raffles and other games of chance on Sundays.

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E. Licenses permitting raffles or other games of chance on Sundays may be issued only to qualified nonprofit organizations, and no organization may be granted permission to conduct such raffles or other games of chance on more than one Sunday in any calendar year.

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Deleted: the day commonly known as

Deleted: resident

Deleted: of Hillsborough Township

Section 4. Section 177-3 of the Code of the Township of Hillsborough, titled "Regulation under New jersey State Raffles Licensing Law", is renumbered Section 177-4.

Section 5. Section 177-4 of the Code of the Township of Hillsborough, titled "Licensing fees with respect to raffles", is renumbered Section 177-5.

Section 6. Section 177-5 of the Code of the Township of Hillsborough, titled "Senior citizen association exemption", is renumbered Section 177-6

Section 7. Chapter 177 of the Code of the Township of Hillsborough, titled "Games of Chance" is hereby amended by adding a new Section 177-7, titled "Suspension or revocation of license" as follows:

§ 177-7 Suspension or revocation of license.

The Township Committee, pursuant to N.J.S.A. 5:8-30 and N.J.S.A. 5:8-57, may suspend and revoke any issued bingo or raffle license, after a hearing, for any violation of this Ordinance or applicable law. The Township Committee may suspend the operation of a bingo or raffle pending hearing, in which case a hearing must be held within five (5) days after such action. Notice of a hearing shall be served personally upon an officer of the licensee or the member in charge of the conduct of the bingo or raffle or sent by registered mail or certified mail to the licensee at the address shown on the license. All decisions and findings by the governing body regarding the suspension or revocation of a bingo or raffle license shall be in writing.

Section 8. Severability.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

Section 9. Effective Date.

This Ordinance shall take effect as provided by law.

Mayor DelCore stated ordinance 2010-12 will help to better expedite bingo and raffle license approvals for school, church, and other non-profit groups in Hillsborough.

Mayor DelCore reported presently, all applications for games of chance must be approved by the Township Committee on an agenda, after review by the Police Department and the State Legalized Games of Chance Commission. This often causes delays for the groups which are raising charitable funds for worthy causes through games of chance, most notably the age old 50/50.

Mayor DelCore reported state law permits the Township Clerk to approve these applications and this ordinance permits the Clerk do to so here for our non-profit groups. Any non-profit group seeking a legalized game of chance license must still meet the statutory criteria, be reviewed by the Police Department, and obtain a Legalized Game of Chance certification approval from the State Commission, before the Clerk can grant approval.

Mayor DelCore said licenses are only available to non-profit organizations as specified in the law. By removing one step in this process we hope to be helping the fund raising activities by Churches and other non-profit organizations.

Committeeman Ferrera said he agrees that this will help expedite bingo and raffle license approvals by eliminating one unnecessary step in the process.

Committeeman Wagner moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on April 27, 2010 at 7:30 p.m. Said motion was seconded by Committeeman Suraci and unanimously approved upon call of the roll.

CONSIDERATIONS

Mayor DelCore offered the following resolution:

1. Resolution authorizing the award of a contract to Community Visiting Nurse Association for public health nursing services to the residents of the Township of Hillsborough.

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

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

WHEREAS, the Township Health Officer met with the staff of Community Visiting Nurse Association and recommends the award of contract be made to them in the amount of \$13,684 pursuant to their proposal dated January 1, 2010, which contract is to end on December 31, 2010; and

WHEREAS, additional nursing services, in addition to those contained in the January 1, 2010 proposal, are available to the Township on an as needed bases at the direction of the Township Health Officer, at the rate of \$44.00 per hour; and

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

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

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

1. The Township Health Officer and Administrator/Clerk are hereby authorized to execute an agreement with Community Visiting Nurse Association to provide public

health nursing services to the residents of the Township of Hillsborough in the amount of \$13,684.00 and additional nursing services on an as needed bases, at the rate of \$44.00 per hour.

2. A notice of this contract award shall appear once in the official newspaper.
3. This resolution shall take effect immediately.

Mayor DelCore reported the Visiting Nurse contract, which is recommended by the Board of Health, enables the Township to meet the requirements of the New Jersey Public Health Practice Standards. Those standards require the Township to provide nurses to conduct the Child Health Clinic for uninsured children, immunization audits at 22 pre- schools and 6 elementary schools, and clinics for seasonal flu. These are state mandated requirements, but they are also services that are important to public health. Mayor DelCore said the contract is for \$13,684 for the year.

Mayor DelCore said Hillsborough has had a long and successful relationship with the Community Visiting Nurse Association in Somerville, who was particularly helpful in providing an exceptional amount of professional nursing staff that was needed for the H1N1 clinics over the past months.

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

2. Resolution awarding contract 2010-01 "2010 Road Maintenance, Construction and Paving Materials."

WHEREAS, the Assistant Township Engineer, has determined that there is a need for the acquisition of the following:

"2010 Road Maintenance, Construction and Paving Materials"; and

WHEREAS, sealed bids were opened and read on March 4, 2010, at 10:00 a.m. which was the time and place provided for in the Invitation to Bid entitled "2010 Road Maintenance, Construction and Paving Materials"; and

WHEREAS, the Assistant Township Engineer has reviewed the bids, provided the Township Committee with his memorandum dated March 5, 2010, and has made the following recommendations for award, which are as follows:

Bid Item	Description	Recommend Vendor	Unit Price	Past 2009	Past 2008
1	#8 Broken Stone, FOB (3/8")	Trap Rock	18.50/ton*	16.60	16.00
2	#8 Broken Stone, FD (3/8")	Trap Rock	23.15/ton	20.50	20.65
3	#57 or #67 Broken Stone, FOB	Stavola	11.00/ton*	11.65	11.00
4	#57 or #67 Broken Stone, FD	Stavola	14.90/ton	15.55	15.65
5	#2 Clean Stone, FOB	Trap Rock	9.75/ton*	10.10	9.50
6	#2 Clean Broken Stone, FD	Trap Rock	14.15/ton	14.00	14.15
7	#3 or #4 Broken Stone, FOB	Trap Rock	9.75/ton*	10.10	9.50
8	#3 or #4 Broken Stone, FD	Trap Rock	14.15/ton	14.00	14.15

9	Dense Graded Aggregate, FOB	Stavola	7.75/ton*	10.10	8.00
10	Dense Graded Aggregate, FD	Stavola	11.65/ton	14.00	12.65
11	3/4" Road Stone, FOB	Trap Rock	7.00/ton*	8.50	7.00
12	3/4" Road Stone, FD	Trap Rock & Stavola	11.65/ton	11.65	11.65
13	Core Stone (6"-12"), FD	Stavola	18.00/ton	20.50	20.15
14	Bit. Conc. Stab. Base I-2, FOB	Stavola	60.00/ton*	52.45	47.25
15	Bit. Conc. Surface I-3, FOB	Stavola	60.00/ton*	55.00	47.25
16	Bit. Conc. Surface I-4, FOB	Stavola	61.00/ton*	56.45	49.25
17	Bit. Conc. Surface I-5, FOB	Stavola	61.00/ton*	56.45	49.25
18	Bit. Conc. Winter Mix, FOB	Trap Rock	75.00/ton*	82.00	70.00
19	Prime Coat, MC-70 or MC-30, FDA	Morris Asphalt	4.95/Gal	4.95	3.85
20	Seal Coat RS-3K, FDA	Morris Asphalt	2.95/Gal	2.95	2.15
21	Seal Coat CRS-2P, FDA	Morris Asphalt	3.35/Gal	3.35	2.49
22	Reflective Crack Control Material, FDA		No Bid	No Bid	No Bid
23	High Temperature Joint Sealing Compound	Micropave	0.84/Lb	0.85	0.66
24	Hot Mix Base Asphalt 19M64 FOB	Stavola	60.00/ton	53.85	52.20

WHEREAS, Trap Rock and Stavola bid the same price on Item 12, and the Township Committee believes it is in the best interest of the Township to award Item 12 to both bidders, with the direction that materials be acquired from each bidder on a rotating basis, i.e. Trap Rock, then Stavola, then Trap Rock, as needed; and

WHEREAS, the Township Attorney has reviewed the bid packages of the recommended vendors set forth hereinabove and finds them to be in conformance with the Local Public Contracts Law and the Township Instruction to Bidders; and

WHEREAS, a certification of availability of funds shall be made in connection with each purchase order in accordance with N.J.A.C. 5:34-5.3(b)(2); and

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

1. Awards of contract are hereby made at the unit price for each bid item to the lowest responsible bidder for each bid item, as set forth herein above with the understanding that the minimum quantity is zero and the maximum amount based upon the bid quantity as tabulated in the bid summary and as further adjusted as provided in the Township contract specifications.
2. Item 12 is awarded to both Trap Rock and Stavola because each bid the same price, and the Township Committee believes it is in the best interest of the Township to award Item 12 to both bidders, with the direction that materials be acquired from each bidder on a rotating basis, i.e. Trap Rock, then Stavola, then Trap Rock, as needed.
3. The Mayor and Township Clerk are hereby authorized to execute the Township's standard form of contracts for goods, products and supplies and for services with each of the successful bidders in each of the various categories in accordance with the recommendations of the Assistant Township Engineer as set forth herein above.
4. A notice of this action shall be printed in the official Township newspaper.

Mayor DelCore reported the Township sought sealed public bids for various road improvement materials that are used by the Department of Public Works throughout the year. As an indication of how the economic situation is creating competition, 6 companies submitted bids. Four different firms; Stavola, Micropave, Morris Asphalt, and Trap Rock, were the low bidders and recommended by the Assistant Township Engineer, for providing various different

materials, including hot mix asphalt, broken stone, aggregate, as well as others. These materials are used on an as needed basis within whatever the final budgeted amount is for road maintenance.

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

3. Resolution authorizing the hiring of Hans Warnebold as part-time Plumbing Sub-Code Official in the Construction Department for not more than twenty-nine (29) hours per week, at a rate of \$28.00 per hour for a four (4) year term, as of March 24, 2010.

WHEREAS, there exists a vacancy in the Construction Department for the position of Plumbing Subcode Official; and

WHEREAS, the Director of Building and Construction recommends the hiring of Hans Warnebold as part-time Plumbing Subcode Official in the Construction Department for not more than 29 hours per week, at a rate of \$28.00 per hour for a four (4) year term , as of March 24, 2010.

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

Mayor DelCore said previously, the Township had a full time Plumbing Sub Code Official. That position has been reduced to a part time position, in order to save funds. The Township Committee has received excellent reports on Mr. Warnebold's work in a temporary capacity here in the Township over the past few months.

Mayor DelCore said we will monitor the Building Department activities to make sure that this move does not delay reviews and approvals.

Mayor DelCore said the Township previously combined the position of Building and Fire Sub code official, eliminating one full time position in the Building Department.

Mayor DelCore reported in 2008 there were four full time individuals serving as the Building, Plumbing, Fire, and Electrical sub code officials. Today there are two. By the way, state law mandates that municipalities must have these sub code positions and requires that each of them have a four year term. Mayor DelCore said another unfunded mandate.

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

4. Resolution awarding 2010 contracts for Municipal Alliance Services to various individuals.

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

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

WHEREAS, Ellen Stoddard shall provide services consisting of presenting BABES educational programs to all 3rd graders in the Hillsborough Township School System, in an amount not to exceed \$4,900; and

WHEREAS, Jane Fidacaro shall provide services consisting of assisting in the presentation of the BABES programs, in an amount not to exceed \$2,200; and

WHEREAS, Anna Mahler shall provide services consisting of performing parent leadership and training programs (PLC), in an amount not to exceed \$175; and

WHEREAS, Lisa Gulla shall provide services consisting of coordinate fiscal activities and serve as liaison to the Somerset County Department of Human Services, in an amount not to exceed \$3,000; and

WHEREAS, Anna Mahler shall provide STAND program services, in an amount not to exceed \$500; and

WHEREAS, Heather Pozsonyi shall provide STAND program services, in an amount not to exceed \$500; and

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

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

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

WHEREAS, Aime Casagrande shall provide services consisting of providing Student Leadership Corps program, in an amount not to exceed \$1,000; and

WHEREAS, Toby Casagrande shall provide services consisting of providing Student Leadership Corps program, in an amount not to exceed \$1,000; and

WHEREAS, Amelia Carella shall provide PRIDE program services, in an amount not to exceed \$1,000; and

WHEREAS, James Durham shall provide PRIDE program services, in an amount not to exceed \$1,000; and

WHEREAS, Amelia Carella shall provide Girls on Track (GOT) program services, in an amount not to exceed \$1,250; and

WHEREAS, Alexis Rizzuto shall provide Girls on Track (GOT) program services, in an amount not to exceed \$1,500; and

WHEREAS, Rozlyn Adams shall provide Girls on Track (GOT) program services, in an amount not to exceed \$2,000; and

WHEREAS, Kathleen Morris shall provide Girls on Track (GOT) program services, in an amount not to exceed \$1,250; and

WHEREAS, Sylvia Scozzari shall provide Girls on Track (GOT) program services, in an amount not to exceed \$1,000; and

WHEREAS, John Morello shall provide DIRT - HHS program services, in an amount not to exceed \$3,000; 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 Mayor and Township Clerk are hereby authorized to execute the Township standard form of agreement, for services and any modifications thereto and related constituent documents as may be found acceptable by the Township Committee.
2. A notice of this action shall be printed in the official Township newspaper.

Mayor DelCore said at the last meeting, the Township Committee approved the grant contract with the County for the Hillsborough Millstone Alliance and the various programs. This approves 19 individual contracts for the people, recommended by the Municipal Alliance, who coordinate the numerous drug and alcohol prevention programs and help make this program such a success, lead by Diane Handwerk and Lisa Gulla.

Mayor DelCore stated the 19 contracts total \$35,000 and are funded by the drug and alcohol prevention grant. This is a very successful long term program here in Hillsborough.

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

5. Resolution authorizing John Cilo, Jr. Associates to provide additional unexpected services, pursuant to contract award on January 5, 2010 through the "Fair and Open" process, as Professional Planner and Engineer for Hillsborough Properties, LLC v the Township of Hillsborough Litigation, in an amount not to exceed \$2,000.

WHEREAS, on January 5, 2010, as a result of the fair and open procurement process, N.J.S.A. 19:44A-20.4-5 et seq., John Cilo, Jr. Associates was awarded a professional services contract; and

WHEREAS, a need has arisen for unexpected additional Professional Planning and Engineering Services related to the Hillsborough Properties, LLC v the Township of Hillsborough litigation, in an amount not to exceed \$2,000; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that John Cilo, Jr. Associates is authorized to perform additional professional planning and engineering services, in an amount not to exceed \$2,000 for Hillsborough Properties LLC v the Township of Hillsborough litigation.

Mayor DelCore reported Cilo Associates were brought in last year to provide planning and engineering services as part of the Hillsborough Properties litigation. This action provides funding to extend the firm's involvement.

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

6. Resolution increasing the 2010 Temporary Emergency Budget.

WHEREAS, there is a need to increase the 2010 Temporary Emergency Budget for unforeseen expenditures prior to the adoption of the 2010 Budget; and

WHEREAS, the amount of said increase is not to exceed \$7,164,682;

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

Administrator	
Salaries and Wages:	53,040.00
Governing Body	
Salaries and Wages:	5,200.00
Other Expenses:	1,000.00
Township Clerk's Office	
Salaries and Wages:	52,000.00
Information Technology	
Salaries and Wages:	28,080.00
Other Expenses:	3,500.00
Postage	15,030.00
Central Purchasing	
Other Expenses:	1,000.00
Economic Development Committee	
Salaries and Wages:	12,950.00
Other Expenses:	1,600.00
Financial Administration	
Salaries and Wages:	67,600.00
Other Expenses:	12,000.00
Tax Collection/Revenue Administration	
Salaries and Wages:	22,880.00
Other Expenses:	10,000.00
Assessment of Taxes	
Salaries and Wages:	78,000.00
Planning Board	
Salaries and Wages	60,000.00
Environmental Commission	
Other Expenses	300.00
Code Enforcement	
Salaries and Wages	297,440.00
Police	
Salaries and Wages:	2,039,625.00
Municipal Prosecutor	
Salaries and Wages:	18,000.00
Municipal Court	
Salaries and Wages:	78,000.00
Special Duty Court Officers	5,000.00
Engineering Services and Costs	
Salaries and Wages:	95,160.00
Other Expenses:	10,000.00
Road Repairs and Maintenance	
Salaries and Wages:	504,400.00
Other Expenses	100,000.00
Snow Removal	
Other Expenses:	50,000.00
Public Buildings and Grounds	

Other Expenses:	10,000.00
Landfill Monitoring	3,000.00
Parks Maintenance	
Salaries and Wages:	99,840.00
Other Expenses	50,000.00
Board of Health	
Salaries and Wages:	89,500.00
Other Expenses	10,000.00
Social Services	
Salaries and Wages:	39,000.00
Other Expenses	1,500.00
Animal Control	
Other Expenses	12,658.00
Wildlife Management	
Other Expenses	2,500.00
Recreation Department	
Salaries and Wages:	20,000.00
Cultural Arts	
Other Expenses	2,500.00
Celebration of Public Events	5,000.00
Fire Protection Charges	200,000.00
Electricity	50,000.00
Street Lighting	98,000.00
Telephone	10,000.00
Heating Fuel	20,000.00
Water	5,000.00
Sewer	1,500.00
Employee Group Insurance	600,000.00
Other Insurance	50,000.00
Unemployment	10,000.00
Social Security System	250,000.00
PERS	541,868.00
PFRS	1,282,318.00
 SUBTOTAL APPROPRIATIONS: INSIDE CAP	 7,085,989.00
 OPERATIONS - EXCLUDED FROM CAP	
Grants (including matching funds)	38,693.00
Interest on Bonds	40,000.00
 SUBTOTAL APPROPRIATIONS: OUTSIDE CAP	 78,693.00
 TOTAL APPROPRIATIONS	 7,164,682.00

Mayor DelCore said as Committeeman Suraci noted, the reduction in state aid will require substantially more review of potential cost cuts and, therefore, the Township must continue and amend the Temporary Budget that was initially approved in January for three months, in order to ensure continuance of operations

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

7. Resolution authorizing the Mayor to communicate examples of Hillsborough's "Best Practices" fiscal policies to the Commissioner of the Department of Community Affairs for use in the state's development of Best Practice Standards for local governments.

WHEREAS, the Division of Local Government in the New Jersey Department of Community Affairs is developing Best Practices Standards for consideration and adoption by New Jersey municipalities, and

WHEREAS, Hillsborough Township, over the past several years, has developed a series of potential 'best practices' that have proven to be beneficial to taxpayers and have maintained a businesslike approach to fiscal issues to support the operation of the local government; and

WHEREAS, Hillsborough Township's 'best practices' include; debt reduction and avoidance of long term debt and interest payments, avoiding new debt for routine capital improvements by following the philosophy of pay as you go financing, combining municipal positions such as Administrator and Clerk, the Chief Financial Officer and the Tax Collector, and the Fire and Building Sub Code Official, and substantially reducing the number of budgeted full time positions; and

WHEREAS, Hillsborough Township declined the state's invitation to go into debt last year through a pension borrowing plan that has left municipalities that participated in the pension borrowing in far worse shape today; and

WHEREAS, through the Hillsborough Economic Action Plan, which reduced bureaucracy and fees and made appropriate land use changes to make doing business less encumbered by the government, the Township has aggressively sought to expand the commercial and industrial tax ratable base in order to provide relief to home owning taxpayers.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Mayor Frank DelCore is hereby authorized to communicate Hillsborough's 'best practices' used to maintain its fiscal condition to the Commissioner of the Department of Community Affairs, for use in the development of the state's Best Practices Standards.

Mayor DelCore reported, included in the Governor's budget message is a proposal that the Division of Local Government in the Department of Community Affairs will develop Best Practices Standards for municipal governments. Under the proposal, the state will require municipalities to adopt these standards.

Mayor DelCore said we believe that Hillsborough has an outstanding record of best practices when it comes to municipal finances. Our business like, conservative fiscal approach has benefited Hillsborough taxpayers and has ensured the delivery of services the public expects.

Mayor DelCore said the Township will be communicating with the Commissioner of Community Affairs regarding Hillsborough's experiences with pay as you go capital financing, combining and reducing full time positions, and our Economic Action Plan.

Mayor DelCore said it is our hope that the Commissioner will include some of Hillsborough's real world experiences that work for the people in their catalogue of Best Practices Standards.

Committeeman Suraci said he does agree that it is very important for the new Department of Community Affairs Commissioner to consider what you rightfully call Hillsborough's real world experience's when developing standards of 'best practices'.

Committeeman Suraci said this Township has consistently found ways to save dollars and operate the municipal government with a businesslike philosophy. The Committeeman believes the actions we have taken should be included in any 'best practices' manual which may be created by the state.

Committeeman Suraci said the Somerset Business Partnership already recognized the Hillsborough Economic Action Plan as a 'best practices' model for other communities. The Township Committee, aided by the Working Group and the Planning Board, has gone to great lengths to change regulations which encourage business and economic growth.

Committeeman Suraci said a 'best practices' standard should be a thorough review of regulations and the bureaucracy that we have undertaken to encourage business growth. Our goal, in addition to economic improvement, is to attract new commercial and business taxpayers in order to reduce the property tax burden on Hillsborough homeowners. Hillsborough's reduction plan and pay as you go financing for routine capital improvements are also examples of 'best practices'.

Committeeman Suraci said the reduction and budgeted full time personnel, through the combination of positions, like the Township Administrator/Clerk, the replacement of full time employees with part time employees who do not add to personnel costs, or the elimination of positions through attrition. This has resulted in far less full time employees today, than eight years ago. This is a key 'best practice' that should be high on the Department of Community Affairs list.

Committeeman Suraci said he wishes we could charge for this good advice to the state so we could make back some of the aid that has been cut, regardless he believes the right move is to share our experiences.

Committeeman Ferrera said he agreed with Committeeman Suraci.

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

8. Resolution approving person-to-person transfer of liquor license #1810-33-006-004 from Tamb 5, Inc. to Pragati Spirits, LLC for premises located at 150 Route 206, South, Hillsborough Township.

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Consumption License No. 1810-33-006-004, heretofore issued to Pragati Spirits, LLC for premises located at 150 Route 206, South, Hillsborough Township, New Jersey; and

WHEREAS, the submitted application is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed accordingly to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey does hereby approve, effective March

24, 2010, the transfer of the aforesaid Plenary Retail Consumption License to Pragati Spirits, LLC., and does hereby direct the Township Clerk to endorse the license certificate to the new ownership, upon receipt of an original certificate of tax sales authority for transfer as follows: "This license, subject to all its terms and conditions, is hereby transferred to Pragati Spirits, LLC., effective March 24, 2010."

Mayor DelCore reported this approves a transfer of the liquor license held by the owners of Cocola to the new owners of the restaurant, P. Ragati Spirits, Limited. The license transfer has been reviewed and approved by the Police Department and the state ABC. Mayor DelCore said we are advised that all documents are in order and fees have been paid.

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

9. Resolution authorizing the Mayor and Township Administrator/Clerk to enter into concession agreements for local median maintenance program with AEV Landscaping, All Decked Out, Donovan Lawn Care, Twin Oaks Landscaping & Right Touch Landscapes.

WHEREAS, the Township of Hillsborough implemented a Local Median Maintenance Program whereby landscapers perform beautification services on local medians within the Township; and

WHEREAS, these beautification services are provided to the Township in exchange for the placement of a sign in the median; and

WHEREAS, the Director of the Department of Public Works recommends such a program because it will result in savings to the Township and its residents; and

WHEREAS, the Township sought vendors to perform these services; and

WHEREAS, pursuant to N.J.A.C. 5:34-9.4, these services are in the nature of a concession; and

WHEREAS, the Township desires to award a concession agreement to AEV Landscaping, All Decked Out, Donovan Lawn Care, Twin Oaks Landscaping & Right Touch Landscapes which will end after the 2011 growing season; and

WHEREAS, the Township has undertaken the following Concession Analysis:

DESCRIPTION OF PUBLIC NEED:	Landscaping of selected Township medians at no cost to the Township.
CONCESSION AWARDED:	AEV Landscaping, All Decked Out, Donovan Lawn Care, Twin Oaks Landscaping & Right Touch Landscapes
CONSIDERATION:	Hillsborough Township will receive the following services: Islands to be mowed weekly at a minimum, preferably mowed when the contactor is providing mowing services for private customers in the area(s). During the summer "burn", islands should be mowed at the same interval as the private customers

in the area of the median(s). Grass length should be maintained no less than three (3") inches.

RISKS: There is no risk to the Township because the Township is not expending any money and the vendors are insured.

ESTIMATE OF TOTAL VALUE OF CONCESSION: \$1,000
Vendor will be permitted to provide signs on public property being landscaped as delineated in the agreement.

ESTIMATE OF REVENUE TO BE RECEIVED BY CONTRACTING UNIT: No revenue to be received.

BASIS FOR AWARD: Concession Agreement

COSTS BY CONTRACTING UNIT: None.

FACILITIES PROVIDED BY CONTRACTING UNIT: None.

METHOD OF PROCUREMENT: Informal quote because the total value of the concession is \$1,000.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Mayor and Township Administrator/Clerk are hereby authorized to enter into a Concession Agreement with AEV Landscaping, All Decked Out, Donovan Lawn Care, Twin Oaks Landscaping & Right Touch Landscapes. Said agreements will address terms and conditions, rules and regulations, insurance and specific assignments for the vendor.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that this resolution shall take effect immediately.

Mayor DelCore said one of the areas where the Township receives some operational help is in the local median maintenance program where local landscaping firms take responsibility for median maintenance in return for being able to place their business signs on the median.

Mayor DelCore said Buck Sixt, the Director of Public Works, advises that he has secured a sufficient number of landscaping firms to cover 100% of the medians that are the Township's responsibility.

Mayor DelCore congratulated Mr. Sixt on another job well done.

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

CONSENTS

Mayor DelCore offered the following consent agenda:

1. Resolution approving an application for a Raffle License by Mary Mother of God Church.

WHEREAS, an application for a raffle license has been filed by Mary Mother of God Church for raffles being held on June 1, June 8, June 15, June 22, June 29, July 6, July 13, July 20, and July 27, 2010; and

WHEREAS, the submitted application form was complete in all respects.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves raffle application #1167 to Mary Mother of God Church for raffles being held on June 1, June 8, June 15, June 22, June 29, July 6, July 13, July 20, and July 27, 2010.

2. Resolution authorizing tuition reimbursement to Officer Christopher Kennedy for completion of the class "Critical Issues In Corrections" offered through Kaplan University, in the amount of \$1,556.56 pursuant to Article XVIII of the current PBA contract.

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

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

WHEREAS, Officer Kennedy has successfully completed the "Critical Issues in Corrections" course through Kaplan University; and

WHEREAS, Officer Kennedy has requested consideration under the Township's Educational Assistance provisions; and

WHEREAS, the Chief of Police has requested favorable consideration of Officer Christopher Kennedy's request for financial reimbursement of seventy-five percent (75%) of the \$2,075.42 cost incurred for a total of \$1,556.56.

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

- Resolution authorizing refund of tax overpayment in the amount of \$1,068.84.

WHEREAS, a real property tax payer overpaid their real property taxes and:

WHEREAS, the Tax Collector has received proof of such payment after correspondence with said property owner:

NOW, THEREFORE BE IT RESOLVED, that the Township Committee, of the Township of Hillsborough, County of Somerset, State of New Jersey, the Tax Collector is hereby authorized to refund said amount to the property owner. Total, \$1,068.84, properties, 1.

Block	Lot	Name	Amount	Qtr	Year
163.08	2705 Condo	Chase Home Finance LLC	\$1,068.84	1st	2010

- Resolution approving an application for a Raffle License by Hillsborough High School LaCrosse Booster Club, Inc.

WHEREAS, an application for a raffle license has been filed by Hillsborough High School Lacrosse Booster Club, Inc. for a raffle being held on May 10, 2010; and

WHEREAS, the submitted application form was complete in all respects.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves raffle application #1169 to Hillsborough High School Lacrosse Booster Club, Inc. to be held on May 10, 2010.

- Resolution authorizing the sale of equipment at the 2010 Somerset County sealed bid sale of surplus.

BE IT RESOLVED by the Township Committee of the Township of Hillsborough that the following unneeded vehicles are authorized to be sold at the 2010 Somerset County Sealed Bid Sale of Surplus:

Year	Make	Model	Serial #
2004	Ford	Crown Vic	2FAHP71W74X143549
2004	Ford	Crown Vic	2FAHP71W14X115200
2003	Ford	Crown Vic	2FAFP71W22X137714
1999	Ford	Crown Vic	2FAFP71W9XX185863
1995	Chevrolet	Caprice	1G1BL52P7SR165607
1994	Chevrolet	Caprice	1G1BL529PRR149354
1992	Chevrolet	Caprice	1G1BL53E1NW150507
1989	Ford	F350	1FDKF37M1KNA35634
1989	Ford	F350	1FDKF37MXKNA35633
1989	Ford	F350	1FDKF37M5KNA35636
1986	INT'L	DUMP TRUCK	1HTLDTVN1GHA41987
1989	INT'L	1654	1HTLAZRL7KH616569

6. Resolution ratifying and confirming the action of the Township Administrator/Clerk in approving the detour plan for Main (River) Road for bridge replacement by Somerset County and approve the detour plan recommended by the Hillsborough Township Police Department.

WHEREAS, Somerset County finds it necessary to replace Bridges No. C0511 and C0514 carrying Main (River) Road, CR 567, over the Tributary to the South Branch of the Raritan River, in the Township of Hillsborough; and

WHEREAS, completion of the project requires the closure of Main (River) Road, CR 567, over the Tributary to the South Branch of the Raritan River; and

WHEREAS, the Chief of Police declares an emergent or temporary condition that dictates the adoption of a special traffic regulation pursuant to N.J.S.A. 39:4-197.3 and finds it in the interest of public safety that Main (River) Road should be closed to all through traffic during the replacement of the bridges, a detour put into effect and the appropriate signs and barricades be set in place.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that Main (River) Road, CR 567, over the Tributary to the South Branch of the Raritan River shall be closed to all traffic at Bridges No. C0511 and C0514, and a detour put into effect.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Hillsborough that the required barricades and signs shall be installed according to the Manual on Uniform Traffic Control Devices.

This resolution will take effect once approved by the Commissioner of the New Jersey Department of Transportation.

7. Resolution approving the application for Special Permit for Social Affair for Hillsborough Education Foundation to be held on April 26, 2010.

WHEREAS, an application for a Special Permit for Social Affair has been filed by Hillsborough Education Foundation for an event to be held on April 26, 2010; and

WHEREAS, the submitted application forms are complete in all respects.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the application for Special Permit for Social Affair for Hillsborough Education Foundation for event to be held on April 26, 2010.

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

CLAIMS LIST

Mayor DelCore presented Claims List 2010-06

Upon motion by Committeeman Ferrera, seconded by Committeeman Suraci, Claims List 2010-06 was unanimously approved upon call of the roll.

EXECUTIVE SESSION
EXECUTIVE SESSION RESOLUTION

Upon motion by Committeeman Ferrera, seconded by Committeeman Suraci, the following resolution was unanimously adopted upon call of the roll.

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 and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
 - a. *Litigation: Hillsborough Properties v. Hillsborough Township*
 - b. *Contract Negotiations: Dispatchers Local 701
Hillsborough Public Works Employees' Association*
 - c. *Property Acquisition:
Block 201, Lot 7(Willow Road)
Block 175, Lot 26(Amwell Road Bypass)*
 - d. *Personnel: Ed Krachun, Public Works Worker, Department of Public Works*
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.

Executive Session commenced at 8:54 p.m.

Committeeman Ferrera motioned to come out of executive session at 10:45p.m.; said motion was seconded by Committeeman Suraci and was unanimously adopted by voice vote.

ADJOURNMENT

Upon motion by Committeeman Suraci, seconded by Committeeman Wagner, the meeting duly adjourned at 10:46 p.m. Said motion was carried unanimously upon voice vote.

Attested:

Kevin P. Davis, RMC, QPA
Township Administrator/Clerk