

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, Committeewoman Gloria McCauley, Deputy Mayor Bob Wagner and Mayor Frank DelCore. Also, in attendance were Township Attorney Albert Cruz, Township Administrator/Clerk Kevin P. Davis and Secretary to the Administrator/Clerk MaryAnn Balancia.

Following the 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 10, 2009.

PROCLAMATIONS

- *Proclamation for Christopher Cusack, for collecting and donating winter coats*

WHEREAS, Christopher Cusack, an Amsterdam Elementary School second-grader, has volunteered his time collecting winter coats for less fortunate children over the last two years; and

WHEREAS, upon hearing from his mother that some children were not as fortunate as him to have a coat, Christopher began his endeavor to help those in need by collecting gently worn coats; and

WHEREAS, in 2007, when Christopher first undertook this project his goal was to collect 1,000 coats by December 2011; and

WHEREAS, Christopher has already surpassed his goal two years ahead of schedule; and

WHEREAS, to date, many organizations have benefited from Christopher's volunteer efforts, including Jersey Cares of Newark, where coats are donated to at-risk men, women, children and infants; and

WHEREAS, Christopher has received overwhelming support for his efforts and has even recruited a group of classmates, which he refers to as his "Army", to help him separate the many donated coats into piles for men, women and children; and

WHEREAS, Bella Pizza owner Akhtar Farzaie was so impressed with Christopher's character, devotion and spirit that he volunteered to help Christopher's endeavor by generously donating free large pizzas to anyone who brought in a "gently used" coat for Christopher's cause; and

WHEREAS, Hillsborough Township School District Superintendent Dr. Edward Forsthoffer and Amsterdam Elementary School Principal Mary Ann Mullady, among many others from the Hillsborough community, have helped support Christopher's cause; and.

WHEREAS, Christopher serves as an example to youth through his high level of personal achievement and community service and we are very proud that Christopher is a member of our community.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Township Committee of the Township of Hillsborough, do hereby commend Christopher Cusack for his extraordinary achievement and the honor that he has brought to himself and our community, with best wishes for a bright future.

- *Proclamation for Belle Pizza owner Akhtar Farzaie, for supporting Christopher Cusack's winter coat collection*

WHEREAS, Bella Pizza owner Akhtar Farzaie has joined Amsterdam Elementary School second-grader Christopher Cusack in his volunteer mission to collect gently used coats for those less fortunate children; and

WHEREAS, in 2007, Christopher started the endeavor to collect coats for those who need them and set out to collect 1,000 coats by December 2011; and

WHEREAS, Akhtar was so impressed with Christopher's character, devotion and spirit that he volunteered to help Christopher reach his goal by generously donating free large pizzas to anyone who brought in a "gently used" coat, for Christopher's cause, to Bella Pizza; and

WHEREAS, with Akhtar's help Christopher has already surpassed his goal of 1,000 coats two years ahead of schedule; and

WHEREAS, to date, many organizations have benefited from the coats collected by Bella Pizza and Christopher's volunteer efforts, including Jersey Cares of Newark, where coats are donated to at-risk men, women, children and infants; and

WHEREAS, Akhtar exhibits outstanding character through his support of Christopher's venture; and

WHEREAS, Akhtar serves as an example to us all through his high level of personal achievement and community service and we are very proud to have Akhtar and Bella Pizza enrich our community.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Township Committee of the Township of Hillsborough, are grateful that Akhtar Farzaie graciously used his businesses, Bella Pizza, to support such a wonderful endeavor.

BE IT FURTHER PROCLAIMED that we, the Township Committee of the Township of Hillsborough, do hereby commend Akhtar Farzaie for his extraordinary achievement and the honor that he has brought to himself, Christopher and our community, with best wishes for a bright future.

APPOINTMENTS

- *Appointment of the following members of the Sustainable Hillsborough Steering Committee:*
 - *Harry Skeelee to Seat #1 for a term ending on 12/31/10*
 - *Phil Ludvoigsen to Seat #2 for a term ending 12/31/10*
 - *Paul Drake to Seat #3 for a term ending 12/31/10*
 - *Steve Bales to Seat #4 for a term ending 12/31/10*
 - *Saul Wendroff to Seat #5 for a term ending 12/31/10*
 - *Thuy Anh Le to Seat #6 for a term ending 12/31/10*
 - *Gene Huntington to Seat #7 for a term ending 12/31/10*
 - *Ed Clerico to Alternate Seat #1 for a term ending 12/31/09*
 - *Ann Harris to Alternate Seat #2 for a term ending 12/31/09*
 - *Sam Conard to Alternate Seat #3 for a term ending 12/31/09*

Upon motion by Committeeman Ferrera, seconded by Committeeman Suraci, the appointments for the members of the Sustainable Hillsborough Steering Committee was unanimously approved upon the call of the roll.

PRESENTATION

- Mayor DelCore stated that Hillsborough Eagle Scout James Chapuran, the Assistant Scoutmaster of Troop 89, is here this evening to give a presentation and report to the community regarding the contributions and accomplishments of Hillsborough Boy Scout Troops 89, 1776, 489 and 186, for 2008.
- James Chapuran stated that the project is aimed towards marketing the Troops 100 year anniversary in 2010. It is to help raise awareness to what the scouts have done.

Mr. Chapuran states a list of statistics that have been accomplished. The statistics went as followed:

- Within all four Boy Scout Troops there are 215 members.
- Within all six Cub Scout Packs there are 637 members.
- All 10 of these units have been given the Quality Unit Award within the past year from the National Counsel for Outstanding Programs.
- 15 of their Scouts have received the Eagle Scout award in 2008
- The National Statistics is that 4% of Troops become Eagle Scouts. However, 10% of the troops in town have received them.
- Been on several historic trips including Gettysburg.
- Mr. Chapuran's troop alone has completed more than 500 hours of community service.
- The Scouts have done a Halloween Trail Ride for many years, completed high way clean ups as well as volunteering their own time to help with parking at the Fireman's Fair.

Mr. Chapuran stated that all of the numbers have been larger than they have been in the past.

Mayor DelCore stated that he finds the numbers very impressive and congratulated the Troop Members on their accomplishments.

Committeeman Ferrera stated that the Scouts are doing a great job.

APPROVAL OF MINUTES

- Approval of the January 27, 2009 Regular Session Minutes

Upon motion by Committeewoman McCauley, seconded by Committeeman Suraci, the minutes of the January 27, 2009 Regular Session were unanimously approved upon the call of the roll.

- Approval of the February 10, 2009 Regular Session Minutes

Upon motion by Deputy Mayor Wagner, seconded by Committeewoman McCauley, the minutes of the February 10, 2009 Executive Session were unanimously approved upon the call of the roll.

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

Committeeman Ferrera

Committeeman Ferrera stated that Bureau of Justice Assistance announced the American Recovery and Assistance Act of 2009. The act allocates 4 billion dollars for the law enforcement agencies nationally and Hillsborough received 11, 077 dollars.

Committeeman Ferrera said that the Hillsborough Police Department planned out specifically how this money would be spent. He stated that the funding can be used for various Law Enforcement Programs such as Community Policing Projects, Traffic Enforcement or Proactive Policing Assignments.

Committeeman Ferrera stated that the application process is currently pending.

Committeeman Ferrera thanks Chief Kaminsky for doing the work and applying for the grants.

Committeeman Ferrera also thanks Virginia Hutton who had the first Senior Social in the Senior Center. Stated that over 100 Seniors participated and all were wearing St. Patrick's Day hats. Stated that Seniors who have not yet joined should think about joining the program, as it is a good way to be involved as well as participate in activities that are held.

Committeeman Ferrera goes on to thank Amsterdam School as well for having him join the school community and read to the students for Dr. Suess's birthday.

Committeewoman McCauley

Committeeman McCauley states that the EBDC is looking at new ways to help local businesses with things such as advertising in the Hillsborough Beacon.

Committeeman McCauley stated that the Sustainable Hillsborough will be holding their first fair on May 3rd from 2p.m.-5p.m. She encourages everyone to attend. She also stated that there is room for more businesses and for those who are interested to please contact the Township.

Committeeman Suraci

Committeeman Suraci added onto Committeeman Ferrera's statement and said that it is important to read to the students as it shows them the importance of reading books.

Committeeman Suraci added a special thanks to Rebecca, the Amsterdam School Librarian, who coordinated the whole event. Also thanks the classes that he was able to sit and read to.

Committeeman Suraci also gave a special thanks to Triangle Elementary School. He thanked the Karen, the school's Reading Specialist, for coordinating this event as well.

Committeeman Suraci also showed the audience a variety of cards that were made by the classes in which he visited.

Committeeman Suraci stated that the coupons for the Township's Annual Clean up program are available at the Department of Public Works office, 21 East Mountain Road, on a first come,

first serve basis beginning Tuesday March 17, 2009. He stated that the office is open 7 am to 3:30 pm.

Committeeman Suraci also stated that the coupons are free of charge again this year and the Auten Road Facility will be open to receive materials on the first and last Saturday of the Month at 7 am to 3 pm, rain or shine.

Committeeman Suraci stated that Public Works will issue 150 coupons per each Saturday. He made note for the public that the drop off dates will be as follows:

APRIL 4 and APRIL 25
MAY 2 and MAY 30
JUNE 6 and JUNE 27
JULY 4 and JULY 25
AUGUST 1 and AUGUST 29
SEPTEMBER 5 and SEPTEMBER 26
OCTOBER 3 and OCTOBER 31

Committeeman Suraci also stated that there is also a roadside pickup program for citizens 65 years of age and older as well as for the disabled. He stated that citizens who are interested in taking advantage of this should contact the Department of Public Works at 369-3950 or visit the Township's website for more information on the pickup program.

Committeeman Suraci also wanted to make it clear that there are restrictions on what type of material can be dropped off or picked up. Citizens who are planning on using the pickup program should look at the Township's website for restrictions and other information that may benefit them.

Deputy Mayor Wagner

Deputy Mayor Wagner stated that the Township's annual Memorial Day Commemoration program and parade will be held on Saturday May 23rd. He stated that the Township is asking for Hillsborough's veterans to join the Township that day and help lead the community in honoring those who have fallen in defense of our nation.

Deputy Mayor Wagner stated that the salute to Veterans breakfast event will begin prior to the parade at 8:30a.m. at the Municipal Building. He stated that following the breakfast, the veterans will be bussed to the starting point of the parade where they will then lead the annual parade.

Deputy Mayor Wagner stated that the parade will then conclude at the Garden of Honor at the Municipal Building where our veterans lead us in a moving tribute ceremony.

Deputy Mayor Wagner stated that all veterans who have served during any period, in addition to those who served in the national guard or reserves, as well as those who are presently serving, are invited to attend the Salute to Veterans event and participate in the Commemoration program. He also made it clear that the invitation is also extended to widows of our veterans.

Deputy Mayor Wagner stated that each year, in addition to recognizing Hillsborough veterans from every era, the Township has paid special tribute to our war veterans, the World War II veterans in 2007 and last year the Korean War veterans. He stated that this year the special honored guests will be our Vietnam Veterans.

Deputy Mayor Wagner strongly encouraged all veterans to provide their leadership and join the Township on May 23rd to celebrate this day. He stated that more information will be provided to the veterans as the date approaches.

Deputy Mayor Wagner stated that groups that are interested in participating in the Memorial Day parade should contact the Recreation Department (908) 369-4832 or by email which can be found on the Township's website.

Deputy Mayor Wagner also stated that the Spring 2009 recreational programs will also be available over the web starting March 11th.

Deputy Mayor Wagner stated that the electronic sign ups have been implemented once again and can be found on the website, [www. Hillsborough-nj.org](http://www.Hillsborough-nj.org), on the Parks and Recreation Spring Brochure.

Deputy Mayor Wagner also stated that the recreation Summer Camp Program is also available through the website.

Mayor DelCore

Mayor DelCore stated that the Hillsborough School District will be holding the annual Arts Festival in the hallways at the Municipal Building in recognition of the national designation of March as Youth Arts Month.

Mayor DelCore encouraged all residents to take the time to stop in at the municipal building, where the hallways in the building have been re-designated as Picasso Way, Monet Lane, and Van Gough Way, to view the original and creative work of our school children.

NEW BUSINESS

None at this time

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

Laura Burshnic stated confusion about how the COAH Ordinance can be implemented to the Township Residents, as it is not State Mandated.

Mayor DelCore turned this over to Bob Ringelheim, the Township Planner.

Mr. Ringelheim stated that depending on when your Building Permit was registered is where the fee comes from.

Township Attorney Albert Cruz stated that he has spoken to Ms. Burshnic and asked that her lawyer contact him in which he has not done to date.

Mr. Cruz stated that there are two concepts: The Growth Fee as well as the Developers Fee. Stated that as far as the Fair Housing Act and the COAH regulations are allowed to impose on a Developers fee on Commercial Real Estate and Residential Development. States that this is all grounded in the Fair Housing Act.

Ms. Burshnic stated that a possible information session on COAH may be helpful to Township Residence who are not clear about this program.

Mr. Davis stated that Ms. Burshnic is welcome to set up a meeting with both himself and Mr. Ringelheim as a way to make this clearer.

Committeeman Ferrera stated that the Construction Department is continuously having classes and therefore asking Mr. Ron Skobo about this may help as well.

PUBLIC HEARINGS

Ordinance 2009-06 An Ordinance amending Chapter 188 (Development Regulations) of the code of the Township of Hillsborough, County of Somerset, State of New Jersey, to revise certain fees in section 188-13.

Deputy Mayor Wagner moved to open the public hearing on Ordinance 2009-06. Said motion was seconded by Committeeman Suraci and carried unanimously by voice vote.

Mayor DelCore stated that there are public hearings tonight on several ordinances that are key components of the Township's economic action plan, all designed to move the bureaucracy out of the way of business and to encourage economic growth in Hillsborough.

Mayor DelCore said that the first Ordinance, 2009-06, is an important element of the economic plan because it reduces various zoning and planning fees for local businesses. The fee reductions also benefit homeowners but not extended to residential developers.

Mayor DelCore stated that the fee cost can be a factor in a business' overall decision making about locating or expanding. The fee reductions have been recommended by the Regulatory Oversight Working Group that was formed by the Township Committee in January.

Bob Ringelheim, the Township Planner and a member of the Working Group, is here again this evening to detail the permit reductions, as they fall generally under his area of responsibility in zoning and planning.

Mr. Ringelheim stated that this Ordinance will allow the proposed fees to be easily determined. They are currently a series of steps that are unfortunately difficult. The new one will be more user and business friendly as well reducing the fees.

Committeewoman McCauley moved to close the public hearing on Ordinance 2009-06. Said motion was seconded by Committeeman Suraci and carried unanimously by voice vote.

Committeeman Suraci moved to adopt Ordinance 2009-06. Said motion was seconded by Committeeman Ferrera and carried unanimously upon call of the roll.

Ordinance 2009-07 An Ordinance amending Chapter 188 (Development Regulations) of the code of the Township of Hillsborough, County of Somerset, State of New Jersey, to permit Outdoor Storage in the GI, I-1, I-2 and I-3 Districts and to allow tenants in Industrial Buildings.

Committeeman Suraci moved to open the public hearing on Ordinance 2009-07. Said motion was seconded by Committeewoman McCauley and carried unanimously by voice vote.

Mayor DelCore stated that this ordinance is an ideal example of moving the bureaucracy out of the way of business.

Mayor DelCore stated that this will permit businesses in Industrial zones to have outside storage and to sublet available space to permitted tenants, without having to go to the expensive and time consuming process of seeking a variance from the Zoning Board of Adjustment.

Mayor DelCore stated that the outside storage and subletting issue will still require an oversight through a zoning permit. The fee for which is reduced by the previous ordinance. This change has been recommended by the Regulatory Oversight Group and the Planning Board.

Mr. Ringelheim stated that this Ordinance will promote outdoor storage as an accessory use within the Industrial zones.

Mr. Ringelheim stated that the key provisions will be to subjected screening and buffering requirement. Stated that currently, where there is an Industrial building with a vacant space, the Township now requires the applicant to get a Planning Board approval to fill that space as a Multiple Use Building.

Mr. Ringelheim stated that this Ordinance will allow multiple uses within an Industrial building provided that there is a minimum of 1500 square feet within that particular use.

Committeewoman McCauley stated that this is a well appreciated Ordinance by the local business owners and she looks forward to the new Ordinance's to take place.

Mayor DelCore moved to close the public hearing on Ordinance 2009-07. Said motion was seconded by Committeeman Ferrera and carried unanimously by voice vote.

Committeeman Suraci moved to adopt Ordinance 2009-07. Said motion was seconded by Committeewoman McCauley and carried unanimously upon call of the roll.

Ordinance 2009-08 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 amend Section 98 B in order to permit Volunteer Fire Companies and first aid or Rescue Squads as principal permitted uses in the RA, RS, R, R1, R2, CR, AH, RCA and PD Districts.

Deputy Mayor Wagner moved to open the public hearing on Ordinance 2009-08. Said motion was seconded by Committeewoman McCauley and carried unanimously by voice vote.

Mayor DelCore stated that this ordinance will allow the establishment of a Fire or Rescue Squad station in various residential zones as a permitted use and has been recommended by the Planning Board.

Mayor DelCore stated that this will be of benefit for the proposed new Rescue Squad station planned for Hamilton Road and the provision of improved response time for the residents on the east side of Route 206.

Mayor DelCore said that although a use variance will no longer be necessary to construct an emergency station, there is still a state law requiring site plan approval by the Planning Board. This ensures that residents in a particular area are fully informed of and have input on any proposed changes.

Mr. Ringelheim stated that this Ordinance will implement the information contained in the 2009 Master plan Land Use amendment that was adopted by the Planning Board. He stated that this proposed the permit for the Volunteer Fire Companies and First Aid Rescue Squads as principal permitted usage within the Residential Areas.

Mr. Ringelheim stated that a recent court settlement with Country Classics will provide the Township with over a million dollars in order to expand and improve the Hamilton Road First Aid and Rescue Squad.

Mr. Ringelheim stated that permitting these usages within the Residential Zones will allow flexibility in improving the existing facilities such as on Hamilton Road as well as finding the appropriate sites for future emergency services facilities.

Deputy Mayor Wagner stated that this will allow the current accessory building on Hamilton Road to go ahead and pursue looking at expanding that particular facility.

Deputy Mayor Wagner moved to close the public hearing on Ordinance 2009-08. Said motion was seconded by Committeeman Suraci and carried unanimously by voice vote.

Committeeman Ferrera moved to adopt Ordinance 2009-08. Said motion was seconded by Committeeman Suraci and carried unanimously upon call of the roll.

Ordinance 2009-09 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 amend the zone designation for Block 142, Lot 23B from ED, Economic Development, to I-2, Light Industrial and to permit each condominium unit in an industrial or office condominium complex to be considered as a separate use.

Committeeman Ferrera moved to open the public hearing on Ordinance 2009-09. Said motion was seconded by Committeeman Suraci and carried unanimously by voice vote.

Mayor DelCore stated that this ordinance, recommended by both the Working Group and the Planning Board, is designed to again remove bureaucratic rules that delay business development.

Mayor DelCore said that the commercial properties on one side of Roycefield Road are in a light industrial zone, while on the other side of the street the zoning is a more restrictive Economic Development or ED zone.

Mayor DelCore stated that each time the property owner on the property zoned ED has a new potential tenant; the property owner has to go through the time consuming and expensive Zoning Board of Adjustment use variance process. This contrasts with a property owner across the street who does not face the same bureaucratic restriction.

Mayor DelCore explained that the adjustment being proposed with this ordinance treats property owners on both sides of the Roycefield Road equally, eliminates a costly bureaucratic step, and helps to bring in commercial tenants who will add jobs and economic value to Hillsborough.

Mr. Ringelheim stated that this Ordinance implements the recommendations contained in the 2009 Masterplan amendment Land Use plan and in the 2008 reexamination Land Use Report in proposing a zone change for the property known as the Roycefield trade park.

Mr. Ringelheim states the changes of all areas.

Mr. Ringelheim states that this Ordinance also permits each condominium unit in an Industrial or Office Condominium Complex to be considered as a separate unit which is an extension of the current zone regulations which permits separate uses to be considered for Industrial Office Complexes where units are leased.

Committeeman Suraci moved to close the public hearing on Ordinance 2009-09. Said motion was seconded by Committeewoman McCauley and carried unanimously by voice vote.

Committeeman Suraci moved to adopt Ordinance 2009-09. Said motion was seconded by Deputy Mayor Wagner and carried unanimously upon call of the roll.

Ordinance 2009-10 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 add new definitions in Section 188-3 and to create the Light Industrial (LI) District in Section 188-107.1.

Deputy Mayor Wagner moved to open the public hearing on Ordinance 2009-10. Said motion was seconded by Committeewoman McCauley and carried unanimously by voice vote.

Mayor DelCore stated that this ordinance was reviewed and recommended by both the Planning Board and the Working Group.

Mayor DelCore stated that the changes the General Industrial (GI) zone along the northbound side of Route 206, coming up from Montgomery to Raider Boulevard to a Light Industrial or LI zone.

Mayor DelCore stated that the change is expected to create greater economic development opportunities for the property owners in that area.

Mr. Ringelheim stated that this Ordinance implements the regulations contained in the 2005 Master plan Amendment Phase II by creating the LI light Industrial District to replace a portion of the GI Industrial District. He stated that this particular GI District is a triangular piece by Route 206.

Mr. Ringelheim stated that the Draft Ordinance proposes more usage in the LI Districts and on smaller lots.

Mr. Ringelheim stated that some of the new LI Districts that are proposed, which are not in the permitted in the existing GI District include contractor facilities, home improvement centers, commercial instructional activities, garden centers etc.

Committeewoman McCauley stated that there have been many regulatory changes that have been received from the Working Group which will be considered by the Planning Board in the near future.

Mayor DelCore stated that he appreciated all of the work that has been done from the Working Group and thanks them for their quick response to everything.

Mr. Scott Hider, attorney for Mr. Steck, stated that under the current Ordinance, you can not access an Industrial Property as a Resident Property. Stated that right now, Mr. Steck can not do anything with Lot 22 as he does not have legal access to it.

Mr. Steck, Planning Consultant from Maplewood New Jersey, passed out two maps to the Committee. One map was a portion of the Township's tax maps. He stated that because of the Township's rezoning, Lot 22 is not functionally part of the Industrial Development, as it is on the other side of Roycebrook. He stated that Zoning wise, this property will never be able to have anything done to it.

Mr. Steck suggests that the Municipality think about the future of this property. He gives suggestions as to what the Township could do with this property. States that this property should be treated differently.

Mr. Hider stated that when the owner bought the property, they were unaware that changes could not be made. He stated that this may be an opportunity for the Committee to do something about this as opposed to keeping the Status Quo.

Mr. Ringelheim stated that there is not a Transit Village Ordinance in place as of yet, as that is something that is more so down the road, however, it can be something that will be part of that discussion.

Mayor DelCore stated that at the Planning Board Meeting it was discussed and there was a decision not to hold up the Zoning Change at this time. The Master Plan subcommittee would take a look at this and determine if this made sense given the Transit Village Concept that may be happening within the future.

Mr. Davis stated that this would ultimately be a decision that would have to go in front of the Planning Board in which case Mr. Hinder's client would then be notified.

Committeeman Suraci stated that it should be noted that the Transit Village Concept is contingent on the reactivation of the West Trenton Line. Therefore, the time line would most likely happen years down the road.

Mr. Hinder stated that if the Transit Village Concept will not be put forth until a couple of years, then his client will be essentially handcuffed with a property that he is unable to do anything with.

Mayor DelCore stated that the Master Plan sub committee can set up a time to look into this and the framework of the Concept and see if they can implement a time frame.

Mr. Hinder stated that Mr. Steck came up with two concepts for this to move forward with. One being to make it an overlay and the other to make the property into Residential for the time being and changing it later on down the road when the Transit Village Concept goes through and addressing it then. However, leaving it at Status Quo is where what they have an objection to.

Mr. Victor Kelley, Executive Vice President of the Commercial Division for Work and Associates, stated that this Ordinance impacts them the most. He stated that this is indicative with what is happening around the country in Industrial and Office Parks. As there have been many jobs lost overseas, many of the Industrial and Office Parks have been looking to different uses for their lots.

Mr. Kelley stated that the biggest improvement is the Commercial Instructional Activities. There are many activities such as fencing, cooking, gymnastics etc that have been implemented and Mr. Kelley believes this is what Hillsborough needed to keep people from going to other Towns.

Mr. Kelley stated that there are other Recreational Activities that are being discussed with tenants as of late, that they will be putting in zoning applications for shortly. He stated that the benefit of this Ordinance is that the parks are used on off hours for other businesses. He stated that because it is used on off hours, traffic is not being made an issue for residents.

Mr. Kelley thanked Mr. Ringelheim and Mr. Strupinsky for listening to their ideas and taking everything into account. He states that this is a great improvement for everyone involved.

Mr. John Biddler, Commercial Realtor, thanked the Committee, Bob Ringelheim and Mr. Strupinsky for all of the hard work that they have done as well as the EBDC. He stated that not only is Hillsborough the best place to live but also the best place to do business.

Mr. John Burshal, Commercial Realtor, compliments the Township Committee and everyone involved for opening up the area into an LI District as he believes it will do a great job in bringing businesses and jobs into Hillsborough Township. He concluded by Congratulated everyone on their hard work.

Committeeman Suraci moved to close the public hearing on Ordinance 2009-10. Said motion was seconded by Committeewoman McCauley and carried unanimously by voice vote.

Committeeman Suraci moved to adopt Ordinance 2009-10. Said motion was seconded by Committeeman Ferrera and carried unanimously upon call of the roll.

Ordinance 2009-11 An Ordinance repealing Chapter 205 of the code of the Township of Hillsborough, titled "Massage Therapists", and replacing it with a new Chapter 205 with the same title providing for the Licensing of Massage Therapists in the Township of Hillsborough.

Committeewoman McCauley moved to open the public hearing on Ordinance 2009-11. Said motion was seconded by Committeeman Suraci and carried unanimously by voice vote.

Mayor DelCore stated that this ordinance adjusts the Township's Massage Therapist Licensing regulations, as recommended by the Police Department, to streamline both the submission and approval process.

Mayor DelCore stated that these changes to not make any adjustments to the restrictions that were put in place several years ago to protect our community from illicit massage parlors and massage therapists are still required to seek a license from the Township.

Mayor DelCore said that the process for this will include ensuring an individual is certified by the State of New Jersey as a Massage Therapist and that the appropriate Police background check is performed.

Mayor DelCore stated that the Police Chief has recommended the changes and they are supported by the legitimate massage therapy establishment in the Township.

Committeeman Suraci moved to close the public hearing on Ordinance 2009-11. Said motion was seconded by Deputy Mayor Wagner and carried unanimously by voice vote.

Committeeman Suraci moved to adopt Ordinance 2008-09. Said motion was seconded by Committeewoman Nisivoccia and carried unanimously upon call of the roll.

INTRODUCTION OF NEW ORDINANCES

Ordinance 2009-13 An Ordinance of the Township of Hillsborough, in the County of Somerset, New Jersey, amending Ordinance 2007-43 as previously amended by Ordinance 2008-45, providing for the installation of Sanitary Sewer System and other related expenses in and for the Township of Hillsborough and appropriating \$5,805,000 therefore, and providing for the issuance of \$5,775,000 in bonds or notes of the Township of Hillsborough to finance the same and directing the special assessment of the cost thereof. *Further consideration of this ordinance and public hearing will be held on April 14, 2009.*

Mayor DelCore stated that the Claremont sewer connection project is moving ahead both in gaining final permit approval from the New Jersey DEP and in seeking low interest financing from the state's Environmental Infrastructure Trust or EIT.

Mayor DelCore stated once again that the sewer project will be funded through a special assessment on property owners benefiting from the project. He said that by obtaining the lowest possible interest rate for financing of the project will be of benefit to those who will pay the special assessment.

Mayor DelCore stated that the township's application to the EIT is for the lowest possible interest, including seeking 0% stimulus funding, if the project qualifies, or ½ the regular government bond rate which would mean about 2.5% at today's rates.

Mayor DelCore stated that he is advised that at ½ the regular bond rate, the benefiting property owners will see a savings of \$1 million in interest costs, over the life of the repayment. In order to participate in the EIT program, the Township's Bond Counsel has advised that the Township Committee must authorize a bond ordinance which then must be approved by the state's Local Finance Board.

Mayor DelCore said that the Bond ordinance for \$5.8 million is for the maximum possible amount which Bond Counsel advises is the best course of action, and includes the \$600,000 authorization previously approved to cover preliminary costs.

Mayor DelCore made it noted that special assessment payers will only pay for the actual cost of the project which will be better known after construction bids are received, which we anticipate to happen in July or August, after gaining all the appropriate approvals.

Committeeman Suraci moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on April 14, 2009 at 7:30 p.m. Said motion was seconded by Deputy Mayor Wagner and unanimously approved upon call of the roll.

CONSIDERATIONS

Mayor DelCore offered the following resolutions:

1. Resolution authorizing the submission of a complete 2009 association of New Jersey Environmental Commissions (ANJEC) Grant for the preparation of an update to the Hillsborough Township Natural Resources Inventory (NRI).

WHEREAS, it is desirable that the Township of Hillsborough continue to follow a planning ethic that protects those scarce environmental resources located in the Township; and

WHEREAS, in order to protect those scarce environmental resources, they must be adequately identified; and

WHEREAS, the Natural Resources Inventory (NRI) is a tool used to identify scarce environmental resources; and

WHEREAS, the most recent NRI was prepared in 1975; and

WHEREAS, since 1975 many of the environmental goals and policies of the Township have changed; and

WHEREAS, the Environmental Commission has expressed support for the submission of a 2009 Association of New Jersey Environmental Commissions (ANJEC) grant application in order to prepare an update to the NRI; and

WHEREAS, the Township Committee further believes it desirable to update the NRI and acknowledges that a grant to prepare said update to the NRI would be highly desirable and appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the update to the NRI is desirable and that a grant to prepare said update would be highly desirable and appropriate and hereby authorizes and directs the Township Administrator, on behalf of the Environmental Commission, to submit by March 31, 2009, a complete ANJEC grant application to update the Hillsborough Township NRI.

Mayor DelCore stated that the Environmental Commission has recommended seeking an \$8,000 grant from the Association of Environmental Commission to help with the cost of developing a new Natural Resources Inventory in Hillsborough.

Mayor DelCore stated that the inventory takes stock of wetlands, floodplains, land cover, existing open space, and a variety of other natural resources for use in planning.

Mr. Neil Julian, Chairman of the Environmental Commission, stated that the Commission as well as Mr. Ringelheim, has prepared an ANJEC Smart road Grant. As part of the resolution, it needs the support of the Township Committee.

Mr. Ringelheim answers Mr. Davis's question stating that a Natural Resource Inventory takes a snapshot of all the critical areas of the Township as they exist today and applies them to the Land Use Policy. This will allow the Township to find out about the steep slopes, flooding, high surface water, and all of the other constraints that go into Building so that when the Township goes back on the Ordinances to see where they can build, it is defined by these constraints. It allows the Township the ability to be able to define the more sensitive areas in the Township as to whether or not the land should be built on.

Mr. Tom O'Donell, 33 Anne Street, stated that he would like to see the RoyceBrook Golf Club included in the NRI. He stated that looking at this from a business perspective, it would make sense to acquire the property for a reasonable cost.

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

2. Resolution authorizing the Mayor and Township Administrator/Clerk to execute the 2009 Municipal Alliance Contract with the County of Somerset.

WHEREAS, the County of Somerset has prepared a contract which will provide \$30,954.00 to the Township of Hillsborough for the provision of municipal alliance activities for prevention of alcoholism and drug abuse, and the Township will provide a 75% match of \$23,215.00 in in-kind services and a 25% cash match of \$7,739.00 will be raised by the Municipal Alliance Committee or provided by the municipality; and

WHEREAS, a copy of this agreement is on file in the office of the Township Clerk.

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

the Mayor and Township Administrator/Clerk to execute the 2009 Municipal Alliance Contract with the County of Somerset.

Mayor DelCore stated that the Township has been awarded \$30,954 Council on Alcoholism and Drug Abuse grant for 2009.

Mayor DelCore stated that this grant will help fund a number of effective prevention programs including the Life Skills program, student assistance counselors, the BABES substance abuse education program, the REBEL, PUSH and STAND programs, Girls on the Run, and many others.

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

3. Resolution supporting participation in the Sustainable Jersey™ Municipal Certification Program.

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Hillsborough Township strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Hillsborough Township hereby acknowledges that the residents of Hillsborough Township desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Hillsborough Township wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path Hillsborough Township is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of Hillsborough Township, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community.

NOW, THEREFORE, BE IT RESOLVED that to focus attention and effort within Hillsborough Township on matters of sustainability, the Hillsborough Township Committee wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that we do hereby Authorize, Assistant Planner/Zoning Officer Rebecca Marshall, to serve as Hillsborough Township's agent for the Sustainable Jersey Municipal Certification process and authorize her to complete the Municipal Registration on behalf Hillsborough Township.

Mayor DelCore stated that Hillsborough has been in the forefront of the effort to create a sustainable community.

Mayor DelCore noted to the residents that sustainability is about planning for the future to ensure the community has balanced economic, environmental, and social objectives, developed with public input. He also said that the next step for Hillsborough is to obtain Certification as a Sustainable community.

Committeewoman McCauley stated that by becoming Sustainable, the Township is not only open to more Grant opportunities but also offer the community other tools to help maintain the sustainability within the town.

Committeeman Ferrera stated that he attended the Somerset County Business of Affairs. He stated that he is behind this Consideration. Once this is passed, Hillsborough will be one of the

first Townships in New Jersey to get their points in and look at the funding and grants that we will be open to.

Mayor DelCore stated that he has been advised that Hillsborough is already meeting most, if not all the criteria for certification.

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

4. This consideration is being held pending further review of the credentials of the bidders.

5. Resolution increasing the 2009 Temporary Emergency Budget.

WHEREAS, there is a need to increase the 2009 Temporary Emergency Budget for unforeseen expenditures prior to the adoption of the 2009 Budget; and

WHEREAS, the amount of said increase is not to exceed \$3,815,568;

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:	34,000.00
Governing Body	
Salaries and Wages:	2,500.00
Other Expenses:	4,000.00
Township Clerk's Office	
Salaries and Wages:	30,000.00
Information Technology	
Salaries and Wages:	15,000.00
Other Expenses:	15,000.00
Postage	12,000.00
Central Purchasing	
Other Expenses:	4,000.00
Legal Services and Costs	
Other Expenses:	25,000.00
Outside Legal Services and Costs	
Other Expenses:	23,000.00
Economic Development Committee	
Salaries and Wages:	15,800.00
Other Expenses:	500.00
Financial Administration	
Salaries and Wages:	35,000.00
Other Expenses:	2,200.00
Tax Collection/Revenue Administration	
Salaries and Wages:	14,000.00
Other Expenses:	13,000.00
Assessment of Taxes	
Salaries and Wages:	50,000.00
Public Meeting Recording	1,175.00
Planning Board	
Salaries and Wages	38,000.00
Other Expenses	15,000.00

Zoning Board of Adjustment	
Other Expenses	6,000.00
Environmental Commission	
Other Expenses	700.00
Code Enforcement	
Salaries and Wages	190,000.00
Police	
Salaries and Wages:	1,295,000.00
Other Expenses:	45,000.00
First Aid Contribution	
Other Expenses: Contribution	36,000.00
Municipal Prosecutor	
Salaries and Wages:	12,000.00
Municipal Court	
Salaries and Wages:	50,000.00
Special Duty Court Officers	15,000.00
Engineering Services and Costs	
Salaries and Wages:	61,000.00
Other Expenses:	2,500.00
Road Repairs and Maintenance	
Salaries and Wages:	325,000.00
Other Expenses	18,500.00
Snow Removal	
Salaries and Wages:	41,000.00
Other Expenses:	70,100.00
Public Buildings and Grounds	
Salaries and Wages:	14,000.00
Other Expenses:	5,000.00
Landfill Monitoring	500.00
Parks Maintenance	
Salaries and Wages:	64,000.00
Other Expenses	5,000.00
Board of Health	
Salaries and Wages:	58,000.00
Social Services	
Salaries and Wages:	25,000.00
Animal Control	
Other Expenses	12,000.00
Wildlife Management	
Other Expenses	1,500.00
Recreation Department	
Salaries and Wages:	21,000.00
Cultural Arts	
Other Expenses	4,500.00
Fire Protection Charges	100,000.00
Electricity	10,000.00
Street Lighting	18,000.00
Telephone	21,000.00
Heating Fuel	32,000.00
Water	10,000.00
Sewer	1,400.00
Sick & Vacation Reserve	25,000.00
Employee Group Insurance	530,000.00
Unemployment	10,000.00
Social Security System	243,000.00
SUBTOTAL APPROPRIATIONS: INSIDE CAP	3,727,875.00
OPERATIONS - EXCLUDED FROM CAP	
Grants (including matching funds)	38,693.00
Roof Repairs	10,000.00

Storm Water OE	11,000.00
DPW Storm Water	
Salaries and Wages:	24,000.00
Other Expenses	4,000.00
SUBTOTAL APPROPRIATIONS: OUTSIDE CAP	<u>87,693.00</u>
TOTAL APPROPRIATIONS	3,815,568.00

Mayor DelCore stated that the funding for road paving is always at a premium because the Township is responsible for 220 miles of roadways.

Mayor DelCore stated that the Chief Finance Officer had identified approximately \$500,000 in unexpended balances in developer contribution capital improvement accounts for road paving projects since 2004. He stated that these are valuable funds that can be re-applied to future road paving projects in our community.

Mayor DelCore stated that this resolution will cancel those balances, in order to make the funding available for use in the future.

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

6. Resolution authorizing the cancellation of Capital Account Balances.

WHEREAS, certain General Capital Improvement Authorization balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said improvement authorization balances so that the unexpended balances may be canceled and be returned to their respective accounts as summarized below;

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the following unexpended and dedicated balances of General Capital Ordinances be canceled in an amount totaling \$563,901.72 with their respective balances being returned to the appropriate General Capital Accounts from which the initial authorizations were funded.

<u>Account Description</u>	<u>Account Number</u>	<u>Balance</u> <u>Cancelled</u>	
Road Overlays	C-04-55-417-900	139,532.92	General
Road Overlays	C-04-55-613-900	79,143.86	General
Road Overlays	C-04-55-715-900	230,000.00	General
Road Overlays	C-04-55-818-900	115,224.94	General
Total Balances Cancelled		<u>563,901.72</u>	
Break down of balances			
Developer Contributions - General		563,901.72	General
Total Balances Cancelled		<u>563,901.72</u>	

Mayor DelCore stated that the temporary budget approved at the January 6th re-organization meeting was good through the end of March.

Mayor DelCore stated that the final budget can not be completed without final information on state aid, which the Governor has given preliminary numbers today, and without knowing what actions the Legislature may take on state aid, pension payments and other funding issues that impact on the local budget.

Mayor DelCore stated that the temporary budget is limited to a percentage of last year's budget and is monitored closely by the CFO.

Ms. Burshnic asked if the ruts in Zion Road will be in the plans to be paved.

Mayor DelCore stated that there are not plans for the road to be paved as of yet.

Upon motion by Deputy Mayor 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 request from Joseph & Margaret Canica for the release of engineering inspection fees, in the amount of \$192.26, cash escrow, in the amount of \$11,644.71 for Project No. 97-PB-6-SR, and cash escrow, in the amount of \$235.00 for Road Opening Permit No. 2005-10.

WHEREAS, a request has been received from Joseph & Margaret Canica for release of engineering inspection fees, in the amount of \$192.26, cash escrow, in the amount of \$11,644.71 for Project No. 97-PB-6-SR; and

WHEREAS, also a request has been received from Joseph & Margaret Canica for release of cash escrow, in the amount of \$235.00 for Road Opening Permit No. 2005-10; and

WHEREAS, the Assistant Township Engineer certifies that all work has been satisfactorily completed; and

WHEREAS, the Assistant Township Engineer recommends that the Township Committee take action to release the \$192.26 in engineering inspection fees, the \$11,644.71 cash escrow, for Project No. 97-PB-6-SR, also the \$235.00 cash escrow for Road Opening Permit No. 2005-10.

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

2. Resolution approving the request from Carriage Farm, LLC for the release of development review escrow, in the amount of \$259.68.

3. Resolution approving participation with the state of New Jersey in a safe and secure communities program administered by the Division of Criminal Justice, Department of Law and Public Safety.

WHEREAS, the Hillsborough Township Police Department wishes to apply for a project under the Safe and Secure Communities Program; and

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

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Applicant Local Unit of Government, for the purpose described in the application; and

THEREFORE, BE IT RESOLVED, by the Township Committee of Hillsborough that

1. As a matter of public policy the Applicant's Unit of Government wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
 2. The Attorney General of New Jersey will receive funds on behalf of the Applicant.
 3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
 4. The Division of Criminal Justice shall initiate allocations to the applicant as authorized by law.
4. Resolution authorizing the Mayor and the Township Administrator/Clerk to execute the Mutual Police Aid Interlocal Services Agreement with all Somerset County police departments.
 5. Resolution approving the request from American Cancer Educational Services to use the Township's tent for a fall festival, a fundraising event, on September 19th and 20th with a rain date of September 26th and 27th, 2009.

WHEREAS, American Cancer Educational Services request the use of the Township's Celebration Tent for a Fall Festival, a fundraising event, to be held on September 19th and 20th, with a rain date of September 26th and 27th, 2009; and

WHEREAS, the Department of Parks and Recreation and the Recreation Commission has recommended that American Cancer Educational Services' request be approved.

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 American Cancer Educational Services' request to use the Township's Celebration Tent for a Fall Festival, a fundraising event, to be held on September 19th and 20th, with a rain date of September 26th and 27th, 2009

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

CLAIMS LIST

Mayor DelCore presented Claims List 2009-05.

Upon motion by Committeewoman McCauley, seconded by Committeeman Ferrera, Claims List 2009-05 was unanimously approved upon call of the roll.

ADJOURNMENT

Upon motion by Committeeman Suraci, seconded by Committeeman Ferrera, the meeting duly adjourned at 9:24 p.m. Said motion carried unanimously upon voice vote.

Attested:

Kevin P. Davis, RMC
Township Clerk

