

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 Ferrera, Committeeman McCauley, Deputy Mayor Wager, and Mayor DelCore. Also, in attendance were Township Attorney Albert Cruz, Township Administrator/Clerk Kevin P. Davis and Secretary to the Administrator/Clerk Dianne Borngesser. Committeeman Suraci was not in attendance.

Following the Salute to the Flag, Mayor Ferrera 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 May 12, 2009.

PROCLAMATIONS

- ***Proclamation declaring May 11-17, 2009 as Special Education Week***

WHEREAS, more than 200,000 children receive special education instruction in New Jersey's public and private schools; and

WHEREAS, more than 21,000 special needs children are enrolled in preschool and early intervention programs in New Jersey; and

WHEREAS, thousands of parents, teachers, therapists, assistants and school administrators give generously of their time and energy to support the learning needs of special education students; and

WHEREAS, special education services, programs and special education teachers make it possible for children with disabilities to learn effectively and to reach their full potential as members of their families and communities; and

WHEREAS, Hillsborough Township offers a wide range of support and services within the Special Education Department and is continuously looking to expand upon such programs; and

WHEREAS, in honor of Special Education Week, May 11-17, 2009, we recognize the Hillsborough Township Board of Education's Special Services Department, Special Education Teachers, Child Study Team Members, Instructional Assistants, Related Service Specialists, Special Education Administrators and Child Study Team Secretaries; and

WHEREAS, this dedicated team of professionals are committed to enhancing the lives of children with special needs both personally and professionally.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Township Committee, do hereby honor and recognize Special Education Educators for their high quality educational services and commitment to our special needs community and thank them for creating a venue in which our special needs children can experience the opportunity to realize a life full of infinite possibilities.

BE IT FURTHER PROCLAIMED that we, the Mayor and Township Committee of the Township of Hillsborough, hereby proclaim May 11-17, 2009 Special Education Week and vow to support Special Education Educators and programs dedicated to Hillsborough's special needs community.

Mayor DelCore personally thanked the Special Education Educators for the wonderful job in which they have done throughout the years.

Mayor DelCore also thanked Tina Reer for being an instrumental part in helping with the completion of the Proclamation.

- **Proclamation recognizing May 17-23rd as Emergency Medical Services Week**

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the more than 100 members of the Hillsborough Rescue Squad are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW, THEREFORE, BE IT PROCLAIMED that we, the members of the Hillsborough Township Committee, do hereby recognize the week of May 17-23rd, 2009, as Emergency Medical Services Week

BE IT FURTHER PROCLAIMED that with the theme *A Proud Partner in Your Community*, we, the members of the Hillsborough Township Committee, encourage the community to observe this week with appropriate programs, ceremonies and activities.

APPOINTMENTS

- Swearing in of the following Fire Police Officers
 - Brian Degler
 - Edward McCollum
 - Rollin Rathbun

APPROVAL OF MINUTES

- *Approval of the April 14, 2009 Regular Session Minutes.*

Upon motion by Committeewoman McCauley, seconded by Deputy Mayor Wagner, the minutes of the April 14, 2009 Regular 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 Chief David Gwin had been in an accident and that he and the Township Committee wish him a full and speedy recovery.

Committeeman Ferrera stated that Chief Gwin will hopefully be attending next meeting and he will discuss free CPR training by the Rescue Squad for both residents and businesses.

Committeeman Ferrera also stated that May 17-23 is Emergency Medical Services Week.

Committeeman Ferrera announced that the Hillsborough Cultural and Arts Commission will host their local event on May 14th. He encouraged residents to come out to the event to admire the local artists work.

Committeeman Ferrera stated that during the event, at approximately 7:30pm, the unveiling of the life-size portrait of Assemblyman Peter J. Biondi will occur, followed by the announcement of the winners.

Committeewoman McCauley

Committeewoman McCauley stated that the first Sustainable Hillsborough Fair was held on May 3rd and was a great success.

Committeeman Suraci

Committeeman Suraci was not present at this meeting.

Deputy Mayor Wagner

Deputy Mayor Wagner reminded everyone that the Memorial Day parade would be on May 23rd starting at 10:30. The rain date for the parade is scheduled for Sunday, May 24th. He stated that the parade will end at the Garden of Honor located at the Municipal Building at approximately 11:15 a.m.

Deputy Mayor Wagner encouraged the public to attend the event and stated that more information about the parade would be available on the Township's website.

Deputy Mayor Wagner also stated that Mr. Bob Broth, a volunteer at Hillsborough Fire Company #3, will be leading the way during the parade. Mr. Broth is a dedicated Hillsborough Resident as well as a dedicated volunteer.

Deputy Mayor Wagner stated that Mr. Broth joined the Marine Corps in 1966 and it is an honor to have him at our parade.

Deputy Mayor Wagner also stated that there has been a wonderful response from the veterans who will be attending both the breakfast and the parade. He stated that this year, there seemed to have been more veterans attending than any other year during this event.

Deputy Mayor Wagner made notice that the Veterans Breakfast will be held on the same day as the parade, May 23rd, and will start at 8:30a.m. in the Municipal Building. All veterans are invited; however, the Vietnam Veterans are the ones that the Township will be saluting this year.

Deputy Mayor Wagner stated that there is still time to sign up for this event on the township website at www.hillsborough-nj.org. The Veterans will lead the way in the parade after breakfast and will conclude with the solemn ceremony at the Garden of Honor.

Deputy Mayor Wagner encouraged all of the residents of Hillsborough Township to come out for this event to honor those who gave their lives for us.

Mayor DelCore

Mayor DelCore encouraged the residents to come out to honor the Veterans on May 23rd.

Mayor DelCore also wished Dave Gwin and speedy recovery and stated that the Township Committee will look forward to his presentation in the upcoming weeks.

NEW BUSINESS

New business has been postponed until the May 26th meeting.

PUBLIC COMMENTS NOT ON THE AGENDA

Leslie Torok- Onk Drive

Mrs. Torok asked for an update on her pumping station. Mayor DelCore stated that he would have more information within a couple of weeks. Mr. Davis stated his frustrations as well and stated that he is doing everything he can to help. Committeewoman McCauley stated that this issue is talked about within the Committee and everyone involved is thoroughly frustrated. Mayor DelCore stated that the Township is doing their best.

PUBLIC HEARINGS

INTRODUCTION OF NEW ORDINANCES

Ordinance 2009-21

An Ordinance amending section 188-52 of the code of the Township of Hillsborough, titled "Grading and Soil Protection," by adding a new subparagraph D. *Further consideration of this ordinance and public hearing will be held on June 9, 2009.*

Mayor DelCore stated that this ordinance will protect residents and the environment by requiring testing of any soil brought into the Township from an unknown source.

Mayor DelCore stated that any soil material brought into Hillsborough will require proper documentation that it meets NJDEP standards.

Mayor DelCore stated that any costs associated with the testing will be borne by the contractor or property owner bringing in the soil. He said that this regulation will ensure that contaminated soil is not brought into Hillsborough.

Mayor DelCore also stated that the regulation is recommended and will be administered by the Engineering Department.

Deputy Mayor Wagner asked Mr. Davis if his understanding was correct in that this requirement will not hurt local landscaping firms or garden centers that sell soil that already meet the NJDEP Standards.

Mr. Davis responded by stating that this will not have any affect on them.

Deputy Mayor Wagner moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on June 9, 2009 at 7:30 p.m. Said motion was seconded by Committeeman Ferrera and unanimously approved upon call of the roll.

Ordinance 2009-22 An Ordinance to amend the code to the Township of Hillsborough, County of Somerset, State of New Jersey, by adding a new Chapter 233 to regulate clothing donation bins. *Further consideration of this ordinance and public hearing will be held on June 9, 2009.*

Mayor DelCore stated that it was recently in the news that some local business people voluntarily took it upon themselves to clean up an area near the clothing bin at the park and ride, where debris had accumulated.

Mayor DelCore stated that the work of these volunteers saved the Township costs because the DPW was scheduled to clean up the area.

Mayor DelCore stated that the Township is thankful for the volunteer acts; however, the mess left by others at the site is not going to be tolerated and should not be tolerated.

Mayor DelCore stated that this ordinance will implement a new state law and regulate those clothing bins, in order to ensure that those who are responsible for the bin also take responsibility for keeping the area of the bin cleaned up. He said the new regulation will require annual registration with the Zoning Office.

Mayor DelCore stated that the information regarding the registered charity benefiting from the clothing bin and contact information will be required to be displayed on the bin.

Mayor DelCore stated that in the case where there is an entity other than a registered charity benefiting from the profits of the donations, that information will have to be displayed on the bin as well.

Mayor DelCore stated that there are two issues that are being addressed here. He stated that first, the maintenance of the area around the bin, in order to protect the aesthetics of the community. He stated that secondly, the township wants to ensure that it is fully disclosed to the public of who is truly benefiting from the clothing being donated for charitable purposes.

Mayor DelCore stated that the registration process had been recommended by the Zoning Office.

Committeeman Ferrera stated that he believes the Township is taking the necessary steps as this could turn into a health hazard.

Committeeman Ferrera moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on June 9, 2009 at 7:30 p.m. Said motion was seconded by Committeewoman McCauley.

CONSIDERATIONS

Mayor DelCore offered the following resolutions:

- 1. Resolution supporting Assemblyman Peter J. Biondi and Assemblywoman Denise Coyle's Call on Governor Jon Corzine to not cut funding from the State's EMT Fund.**

WHEREAS, Governor Jon Corzine has proposed to cut the State's Emergency Medical Technicians (EMT) Training Fund in the 2009 State Budget; and

WHEREAS, citing increased costs to municipalities and detrimental effects to recruitment efforts, Assemblyman Peter J. Biondi and Assemblywoman Denise Coyle have called on Governor Jon Corzine to not cut funding from the State's EMT Fund; and

WHEREAS, cutting EMT funding will likely cause volunteer EMTs to be replaced with paid staff increasing the cost to municipalities by thousands of dollars per year; and

WHEREAS, without EMT funding, municipalities could be forced to use paid ambulance squads, resulting in increased property taxes, or require volunteers to pay for their own training, causing a devastating effect on retention and recruitment efforts; and

WHEREAS, Assemblypersons Biondi and Coyle recommend cutting the Special Municipal Aid fund, which only benefits a select group of communities as an alternative to reducing monies to the EMT Fund; and

WHEREAS, Hillsborough Township believes it is in the best interest of municipalities and volunteer EMT squads to support the continued funding of the State's EMT Fund.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey hereby support Assemblyman Peter J. Biondi and Assemblywoman Denise Coyle's call on Governor Jon Corzine to not cut funding from the State's EMT Fund in the 2009 State Budget.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that a copy of this resolution will be sent to New Jersey Senator Christopher "Kip" Bateman, Assemblyman Peter J. Biondi, Assemblywoman Denise Coyle, and Governor Jon Corzine

Mayor DelCore stated that under the state budget plan now pending in Trenton, it is proposed that \$3.5 million be taken from a dedicated Trust fund for Emergency Medical Technician, or EMT, training to be used in the state budget.

Mayor DelCore stated that Hillsborough's Assemblyman Peter Biondi and his co-Assembly member Denise Coyle have called on the Governor to find another economy

because the reduction of the training fund will have a negative effect on the availability of training for life saving EMT's across the state.

Mayor DelCore explained that the Trust fund was established in 1995 and is supported specifically by 50 cents from every moving violation summons issued in the state.

Mayor DelCore stated that the Assembly members have suggested that the EMT training monies be kept in the training fund, and instead the \$3.5 million should be deducted from the \$145 million allocated in the state budget for Special Municipal aid, which benefits a small, select group of cities in New Jersey.

Mayor DelCore stated that he agreed with Assembly members Pete Biondi and Denise Coyce, as EMPT training is vital for the protection of citizens throughout the state.

Mayor DelCore stated that it is essentially Hillsborough and other communities' taxpayers subsidizing a handful of mismanaged, but politically connected cities.

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

2. Resolution supporting State Legislation establishing Child Safety Zones.

WHEREAS, the protection and safety of children from convicted sex offenders is of paramount concern; and

WHEREAS, the establishment of safety zones for children, ensuring that convicted sexual predators who are required to register under Megan's Law are prohibited from living in close proximity to schools, playgrounds, day care centers and parks, is a proven method for adding a layer of protection for children; and

WHEREAS, the Newark Star Ledger reported on May 8, 2009 that the New Jersey Parole Board's Officers have heavy caseloads and acknowledged that Parole Officers do not consider how close a sex offender may be living to a school or daycare center; and

WHEREAS, the New Jersey Supreme Court has determined that state legislation is necessary in order for local municipalities to protect children through the establishment of child safety zone ordinances; and

WHEREAS, there are several bills under consideration in the New Jersey Assembly and Senate at this time that will provide municipalities with the authority to create child safety zones.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the New Jersey Legislature is called upon to act as quickly as possible to approve the needed legislation granting municipalities the authority to protect children through Child Safety Zones, and calls on Governor Jon Corzine to sign such legislation as soon as it is approved by the Legislature; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Senator Christopher "Kip" Bateman, Assemblyman Peter J. Biondi, Assemblywoman Denise Coyle and Governor Jon Corzine.

Mayor DelCore stated that the State Supreme Court determined last week that legislation needs to be approved by the Legislature and Governor, in order for municipalities in New Jersey to establish buffer zones. He stated that these are called Child Safety Zones in

Hillsborough Township. He said that these zones will prevent convicted sex offenders from living near schools, parks, playgrounds and day care centers.

Mayor DelCore stated that there are several bills that are currently pending in the Legislature that would either grant that authority to municipalities or establish those zones statewide.

Mayor DelCore stated that this resolution will urge the Legislature to approve this legislation as quickly as possible and for the Governor to sign the bill into law just as quickly.

Mayor DelCore stated that he feels the Towns should have the authority to prevent convicted sex predators, particularly those who prey on children, from living close by a school or a playground or the state should establish its own buffer zones by law.

Mayor DelCore stated that he hoped Trenton would take action as soon as possible.

Committeeman Ferrera stated that Hillsborough Township had lead the way with Child Safety Zones and he agrees with Mayor DelCore on taking action as soon as possible.

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

3. Resolution authorizing Robert Zelle, Director of Environmental Services, Master Consulting, P.A., to provide Consulting Environmental Services for the Township of Hillsborough on the Transco Pipeline Project at the Belle Mead GSA Depot, in an amount not to exceed \$4,000.00.

WHEREAS, on January 6, 2009, as a result of the fair and open procurement process, N.J.S.A. 19:44A-20.4-5 et seq., Maser Consulting, P.A., was awarded a professional services contract designating Maser Consulting, P.A., as the Township of Hillsborough Engineer; and

WHEREAS, there is now the necessity for professional engineering services; namely, to provide consulting environmental services on the Transco Pipeline at the Belle Mead GSA Depot in a sum not to exceed \$4,000.00, as described in a proposal from Maser Consulting, P.A., dated March 9, 2009.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that Maser Consulting, P.A., is authorized to provide consulting services outlined in their proposal, dated March 9, 2009, in an amount not to exceed \$4,000.00 for environmental work on the Transco Pipeline at the Belle Mead GSA Depot.

Mayor DelCore stated that the Federal Energy Regulatory Commission granted Transco the authority to put a gas pipeline through the edge of the Belle Mead GSA Depot when the property was stilled owned by the federal government, before the transfer of management.

Mayor DelCore stated that the location of the pipeline along five acres at the southern border of the property is not expected to have an impact on the property.

Mayor DelCore stated that the federal government allowed the easement payment by Transco to be added to the Clean up escrow account controlled by the County and the Township.

Mayor DelCore said that in order to ensure that the project does not interfere with the Township's plans for the site; Mr. Zelle has been and continues to review the plans for Hillsborough.

Mayor DelCore stated that Transco will be providing the funds for this review.

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

4. Resolution authorizing the execution of a Non Fair and Open contract with Farewell Mills Gatsch Architects, LLC. To provide construction documents, bidding and construction administration for the Van der Veer- Harris House Historical Preservation in an amount not to exceed \$48,575.

WHEREAS, the Township of Hillsborough is desirous to preserve the Township's Historic Van der Veer-Harris House; and

WHEREAS, Farewell Mills Gatsch Architects, LLC. has been providing the Township with architectural consulting services on the historic Van der Veer-Harris House restoration project; and

WHEREAS, the Township Committee has decided to award a "Non Fair and Open" contract for Professional Services to Farewell Mills Gatsch Architects, LLC., to provide construction documents, bidding and construction administration for the Van der Veer-Harris House based upon their proposal dated March 12, 2009, in an amount not to exceed \$48,575.00; and

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

WHEREAS, Farewell Mills Gatsch Architects, LLC. has submitted the required Political Contribution Disclosure forms; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bid must be publicly advertised.

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 Administrator/Clerk are hereby authorized to execute the Township's standard form of agreement for "Professional Services", and any modifications thereto and related constituent documents as may be found acceptable by the Township Committee, with Farewell Mills Gatsch Architects, LLC for the construction documents, bidding and construction administration for the Van der Veer-Harris House, in an amount not to exceed \$48,575.00.
2. This contract is awarded without competitive bidding as a "Non Fair and Open Professional Service" in accordance with N.J.S.A. 40A:11-5(1)a of the Local Public Contracts Law because these services will be performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, the performance of which service requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized instructions as distinguished from general academic instruction or apprenticeship and training.
3. A notice of this action shall be printed once in the official Township newspaper.

Mayor DelCore stated that Farewell Mills had been the historic preservation architect for the Van der veer Harris House preservation project for several years.

Mayor DelCore stated that with the County historic grant authorized for Hillsborough, the project can now move forward.

Mayor DelCore stated that the architectural firm will develop the bid specs, pre-qualify the bidders, because they must be certified for historic preservation re-construction, and oversee the project.

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

- 5. Resolution authorizing a two (2) year contract through the competitive contracting process N.J.S.A 40A:11:4-1 with "Touching All the Bases Baseball Camps" to operate the Recreation Baseball Camp from June 1, 2009 to May 31, 2011.**

**WHEREAS, THERE EXISTS A NEED FOR A RECREATION BASEBALL SUMMER CLINIC;
AND**

**WHEREAS, A NOTICE OF ADVERTISEMENT FOR PROPOSALS WAS PREPARED AND
ADVERTISED ON MARCH 26, 2009; AND**

**WHEREAS, ONE (1) PROPOSAL WAS RECEIVED FROM NORM HEWITT'S TOUCHING
ALL THE BASES BASEBALL CAMP AND SUBMITTED ON APRIL 9, 2009 AT 10:00 AM,
WHICH WAS THE TIME AND PLACE AS PROVIDED FOR IN THE ADVERTISEMENT;
AND**

**WHEREAS, THE TOWNSHIP OF HILLSBOROUGH AWARDS THE CONTRACT TO THE
SOLE BIDDER, NORM HEWITT'S TOUCHING ALL THE BASES BASEBALL CAMP, AT AN
AMOUNT OF \$225 TO BE PAID BY EACH PARTICIPANT FOR SESSIONS 1, 2 AND 3, AND
AT AN AMOUNT OF \$165 TO BE PAID BY EACH PARTICIPANT FOR SESSIONS 4 AND 5;
AND**

**WHEREAS, \$1,000.00 IS TO BE PAID TO THE TOWNSHIP OF HILLSBOROUGH FOR USE
OF MUNICIPAL PREMISES; AND**

**WHEREAS, THE DATES OF THE BASEBALL CLINIC FOR 2009 SHALL BE: JUNE 29TH –
JULY 3RD ; JULY 6TH – JULY 10TH ; JULY 13TH –17TH FOR SESSIONS 1, 2 AND 3; AND JULY
20TH –24TH; JULY 27TH – 31ST FOR SESSIONS 4 AND 5; DATES OF THE BASEBALL CLINIC
FOR 2010 WILL BE DETERMINED IN ACCORDANCE WITH THE REQUEST FOR
PROPOSALS.**

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY AS
FOLLOWS:**

Mayor DelCore stated that Norm Hewitt is hereby awarded a two (2) year contract, from June 1, 2009 to May 31, 2011, to operate Touching All the Bases Baseball Camps.

Mayor DelCore stated that Norm Hewitt will pay the Township of Hillsborough \$1,000 for the use of Municipal Premises.

Mayor DelCore stated that this Resolution shall take effect immediately and a notice of this action will be placed in the local newspaper.

Mayor DelCore also stated that there will be a Recreation Summer Baseball camp again this year and next, organized and run by the well regarded and long time High School Baseball Coach, Norm Hewitt.

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

6. Resolution awarding a contract to Excellent Building Services Corp. for "Custodial Services for the period from June 1, 2009 to May 31, 2011," in an amount not to exceed \$146,280.00.

WHEREAS, the Director of Public Works has determined that there is a need for the acquisition of the following services:

"Custodial Services for the period from June 1, 2009 to May 31, 2011"; and

WHEREAS, a notice of advertisement for bids and an Invitation to Bid were prepared and advertised on April 16, 2009; and

WHEREAS, sealed bids were opened and read on April 30, 2009 at 10:00 AM, which was the time and place as provided for in the Invitation to Bid entitled "Custodial Services for the period from June 1, 2009 to May 31, 2011" in accordance with the Local Public Contracts Law; and

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

<u>Vendor</u>	<u>Amount</u>
Excellent Building Services Corp.	\$146,280.00
Advanced Building Maintenance Co.	\$157,833.00

WHEREAS, the specifications provide that the award of the contract shall be made to the lowest responsible bidder for the base bid, exclusive of Special Items; and

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

WHEREAS, the Township Administrator/Clerk has determined that the lowest responsible bidder is Excellent Building Services Corp.; and

WHEREAS, the Township Attorney has reviewed the proposal and has provided the Township Committee with his comments with respect to same; and

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

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

1. An award of contract for "Custodial Services for the period from June 1, 2009 to May 31, 2011" is made to Excellent Building Services Corp. in an amount not to exceed \$146,280.00, plus Special Items #1 at \$300.00 per call and #2 at \$45.00 per man hour.
2. The Mayor and Township Administrator/Clerk are hereby authorized to execute the Township standard form of contract which shall delineate within it all of the terms of this Resolution and the right of the Township Administrator/Clerk to determine if and when the services are needed.

Mayor DelCore stated that a notice of this action shall be printed once in the official Township Newspaper

Mayor DelCore also stated that the Township sought competitive sealed bids for this service which includes the cleaning maintenance of the Municipal Building, Police Department, the Library, the Public Works' Offices, and the Senior Citizen Activity Center.

Mayor DelCore stated that the Township is presently paying \$6922 per month for these services, but under the new two year contract that cost will drop to \$6095 per month.

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

CONSENTS

Mayor DelCore offered the following consent agenda:

- 1. Resolution authorizing the Somerset Valley YMCA Hillsborough Branch to hold their annual 5K road race in Hillsborough Township on Saturday, May 30, 2009, pursuant to the requirements outlined by Chief Paul Kaminsky.**

WHEREAS, the Somerset Valley YMCA Hillsborough Branch has requested to hold their annual 5K road race on Saturday, May 30, 2009, in Hillsborough Township; and

WHEREAS, prior to May 30, 2009, the Somerset Valley YMCA Hillsborough Branch will produce a certificate of insurance naming the Township of Hillsborough as an insured; and

WHEREAS, Chief Kaminsky and Hillsborough Township Police Department's Traffic Safety Bureau have determined that the planned route will provide an acceptable level of safety for the runners.

NOW, THEREFORE, be it resolved by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Somerset Valley YMCA Hillsborough Branch is hereby authorized to hold a race in Hillsborough Township on May 30, 2009.

- 2. Resolution authorizing Giro Di Jersey, Sourland Mountain Bicycle Race to travel through a portion of Hillsborough Township, pursuant to the requirements outlined by Chief Paul Kaminsky.**

WHEREAS, Giro Di Jersey wishes to hold a bicycle race, on Thursday, June 18, 2009, through portions of Hillsborough Township; and

WHEREAS, prior to June 18, 2009, Giro Di Jersey will produce a certificate of insurance naming the Township of Hillsborough as an insured; and

WHEREAS, Chief Kaminsky and Hillsborough Township Police Department's Traffic Safety Bureau have determined that the planned route will provide an acceptable level of safety for the cyclers.

NOW, THEREFORE, be it resolved by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that Giro Di Jersey is hereby authorized to hold a bicycle race in Hillsborough Township on Thursday, June 18, 2009.

3. Resolution supporting the Click It or Ticket Mobilization of May 18-May 31, 2009.

WHEREAS, there were 592 motor vehicles fatalities in New Jersey in 2008; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975 – 2000; and

WHEREAS, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 18 – May 31, 2009 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 91.75% to 100%; and

WHEREAS, a further increase in seat belt usage in New Jersey will save lives on our roadways.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that they hereby support the *Click It or Ticket* seat belt mobilization both locally and nationally from May 18 – May 31, 2009 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

4. Resolution ratifying and confirming the action of the Township Administrator/ Clerk approving an application for a Carnival License by Mary Mother of God.

WHEREAS, an application for a carnival license had been filed by the Mary Mother of God Church for a Teen Center Kick-Off Block Party being held on May 8, 2009; 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 ratifies and confirms the action of the Administrator/Township Clerk approving the carnival application submitted by Mary Mother of God Church for a Teen Center Kick-Off Block Party being held on May 8, 2009.

5. Resolution authorizing refund of tax overpayments in the amount of \$298.24.

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 owners:

NOW, THEREFORE BE IT RESOLVED, that the Township Committee, of the Township of Hillsborough, County of Somerset, State of New Jersey, the Tax Collector is hereby authorized to refund said amount to the property owner. Total, \$298.24 properties, 2

Block	Lot	Name	Amount	Qtr	Year
150.D	1	Title Source Inc.	225.25	2 nd	2009
205.15	58	Riverside III LLC	72.99	1 st	2009

CLAIMS LIST

Mayor DelCore presented Claims List 2009-09.

Upon motion by Deputy Mayor Wagner, seconded by Committeeman Ferrera, Claims List 2009-09 was unanimously approved upon call of the roll.

EXECUTIVE SESSION

EXECUTIVE SESSION RESOLUTION

Upon motion by Committeeman Ferrera, seconded by Deputy Mayor Wagner, 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:
 - *Litigation: Hillsborough Properties vs. the Township of Hillsborough*
 - *Contract Negotiations: Dispatchers Local 701*

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 8:21 p.m.

Committeewoman McCauley motioned to come out of executive session at 9:30p.m.; said motion was seconded by Committeeman Ferrera and unanimously adopted by voice vote.

ADJOURNMENT

Upon motion by Deputy Mayor Wagner, seconded by Committeewoman McCauley, the meeting duly adjourned at 9:31 p.m. Said motion carried unanimously upon voice vote.

Attested:

Kevin P. Davis, RMC
Township Clerk

