

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 DelCore. Also, in attendance were Township Attorney Albert E. Cruz, 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 May 25, 2010.

PROCLAMATIONS/APPOINTMENTS

- *Proclamation supporting the Hillsborough Township Mayors Wellness Campaign*

WHEREAS, fifty-five percent of New Jersey residents are obese or overweight; and

WHEREAS, medical expenses for treating problems related to obesity in our state total billions of dollars annually; and

WHEREAS, New Jersey has reported the highest incidence in the nation in obesity among low-income kids aged 2-5 years; and

WHEREAS, the current generation of children in American may have shorter life expectancies than their parents due to obesity and obesity related diseases; and

WHEREAS, the Mayors Wellness Campaign (MWC) supports Mayors as champions of community health and works to combat obesity and obesity related conditions; and

WHEREAS, the goal of the campaign is to improve health, reduce healthcare costs related to obesity, and make New Jersey a national leader in community-based health interventions; and

WHEREAS, MWC seeks to foster active living and healthy lifestyles by providing communities with the structure and resources needed to implement healthy community initiatives; and

WHEREAS, Hillsborough's MWC works to implement a comprehensive program of outreach, education and activities to combat obesity and inactivity issues for Hillsborough municipal employees and residents.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Township Committee of the Township of Hillsborough, support the Mayors Wellness Campaign and its mission to combat obesity and obesity related diseases and create a healthier lifestyle for our community.

BE IT FURTHER PROCLAIMED that we, the Mayor and the Township Committee of the Township of Hillsborough, encourage the residents of Hillsborough Township to participate in activities that promote exercise, eating properly and living healthier and better lives.

- *Proclamation honoring John McKenna for completing his REACH internship in the Hillsborough Township Building Department in February 2010*

WHEREAS, Hillsborough High School Senior John McKenna was chosen, via a competitive selection process, as the first REACH intern with the Hillsborough Township Department of Building and Construction, where Director Ronald Skobo served as his mentor; and

WHEREAS, under the direct supervision of Mr. Skobo, John observed and performed numerous tasks relative to the daily functions of the Building Department, allowing him to utilize knowledge gained through his architectural studies at Hillsborough High School; and

WHEREAS, in addition to gaining knowledge of the responsibilities of the Department of Building and Construction, John created a brochure that highlighted and explained the workings of the department; and

WHEREAS, because of the brochure's excellence and clarity, the brochure will be used as guide for future interns to make them aware of the main functions of the department and what to expect during their internship; and

WHEREAS, John's enthusiasm, work ethic and positive attitude made him an asset to the Building Department and has set a high standard for all future interns in that department.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Township Committee of the Township of Hillsborough, on this Twenty-fifth day of May 2010, do hereby thank John McKenna, for his assistance in the Township's Building and Construction Department and commend him for a job well done.

BE IT FURTHER PROCLAIMED that we, the Mayor and the Township Committee of the Township of Hillsborough, wish John the best of luck in all his future endeavors.

APPROVAL OF MINUTES

- *Approval of the April 27, 2010 Regular Session Minutes*

Upon motion by Committeeman Wagner, seconded by Deputy Mayor McCauley, the minutes of the April 27, 2010 Regular Session were approved upon the call of the roll.

Yes – Wagner, McCauley, DelCore

Abstain – Ferrera, Suraci

- *Approval of the May 11, 2010 Regular Session Minutes*

Upon motion by Committeeman Wagner, seconded by Deputy Mayor McCauley, the minutes of the May 11, 2010 Regular Session were approved upon the call of the roll.

Yes – Ferrera, Suraci, Wagner, McCauley

Abstain - DelCore

- *Approval of the April 27, 2010 Executive Session Minutes*

Upon motion by Committeeman Wagner, seconded by Deputy Mayor McCauley, the minutes of the April 27, 2010 Executive Session were approved upon the call of the roll.

Yes – Wagner, McCauley, DelCore

Abstain – Ferrera, Suraci

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

Committeeman Ferrera

- *Nothing at this time.*

Committeeman Suraci

Committeeman Suraci reported last night he attended the Board of Education meeting. They did pass the resolution reducing their budget by 1.5 million based upon the Township Committee's recommendation. Committeeman Suraci reported the Board of Education did not accept the Committee's line item recommendations; however, they did approve the dollar amount, by a seven to one vote, and will not appeal the 1.5 million.

Committeeman Suraci stated that the Board of Education did ask for input from the public regarding line item recommendations; suggestions can be made to the Board of Education through the school website.

Committeeman Wagner

Committeeman Wagner reported the Township has received notification from the state Agricultural Development Committee that Hillsborough's 2011 Municipal Planning Incentive Grant, also known as the PIG program, application has been approved for continuation of the Farmland Preservation Program. Committeeman Wagner said the good news is that the Planning Incentive Grant program has provided Hillsborough with nearly six million dollars in funds over the years that have helped preserve farmland from development.

Committeeman Wagner reported the Township has three planning incentive grant zones; one is the area between Hillsborough Road and Township Line Road, where most of the farms have been put into preservation. The Mill Lane area, where there has been substantial preservation, and the Amwell valley area in the western portion of our Township. With the continued access to the planning incentive grant funds the Township will be able to continue to work with the Open Space Advisory Committee on identifying farms for preservation.

Committeeman Wagner reminded veteran's that there is still time to sign up for this year's fifth annual Salute to Veteran's breakfast which will be held rain or shine Saturday, May 29, 2010 in the Municipal Building. This breakfast will kick-off the Township's Memorial Day Commemoration program which includes the parade and Garden of Honor Ceremonies. Committeeman Wagner encouraged all residents to join in this commemoration; where our community honors those who have made the ultimate sacrifice in the defense of our country.

Committeeman Wagner said the annual parade will begin at the intersection of Auten and Triangle Roads at 10:30 a.m. The Commemoration Ceremony will begin at approximately 11:15 a.m. at the Garden of Honor at the municipal complex, following the parade.

Committeeman Wagner said the public is invited and encouraged to attend these events. More information is available on the Township's website.

Committeeman Wagner reported this year we are honored to have Vietnam Veteran Ted Dima, a Purple Heart recipient, to serve as our Grand Marshal. Mr. Dima is a long time Hillsborough resident and an active volunteer for veteran's issues, including his leadership in Chapter 27 of the Military Order of the Purple Heart.

Deputy Mayor McCauley

Deputy Mayor McCauley stated the Sustainable Hillsborough crew will have a table at the parade, along with other vendors. The Deputy Mayor asked residents to please stop by the vendor's tables.

Deputy Mayor McCauley said she has been serving as member of the GSA Joint Administrative Committee for the GSA Depot site. Deputy Mayor McCauley reported on the cleanup activities. The cleanup process is being managed by the Somerset County Engineering Department and overseen by Dr. Joseph Sorge of JM Sorge, the County's Environmental Consultant, at the direction of the Joint Administrative Committee.

Deputy Mayor McCauley reported last year the County sought bids and awarded the contract to Donjon Marine as the lowest bidder for the demolition of buildings on the property, at a cost of \$89,380. Deputy Mayor McCauley said she has been advised by the County Engineer that the demolition has been completed.

Deputy Mayor McCauley reported the next phase will be the cleanup and removal of the rail road ties and rail road ballast, or base material currently on the property. The County has advertised for bids and the bids are due on June 13, 2010. The Deputy Mayor stated she has been advised that the contract for the work should be in place by approximately July 1, 2010. Deputy Mayor McCauley stated the cleanup for this part of the project will take approximately three to four months.

Deputy Mayor McCauley reported funding for the project comes from the escrow fund set aside jointly by the County, Township and Federal Government for the cleanup of the property.

Deputy Mayor McCauley said progress is being made and she will keep the Committee and public updated as we move forward.

Mayor DelCore

Mayor DelCore said he had the pleasure of attending the Life Skills Brunch today; and thanked all the volunteers involved. Mayor DelCore also thanked Diane Handwerk who has been our Life Skills Coordinator for the past 22 years and is retiring this year.

NEW BUSINESS

- *Somerset County Funded Energy Audit Presentation – Dennis Gonzalez, Clough Harbor Associates*

Mayor DelCore reported last year the Somerset County Freeholders offered an opportunity for municipalities to have an energy audit of their municipal complexes at no cost. Hillsborough Township took the County up on that offer. The County brought in Clough Harbor Associates to conduct the energy audit. Mayor DelCore said Mr. Dennis Gonzalez of Clough Harbor is with us tonight to review the findings.

Mr. Gonzalez provided an in depth power-point presentation on the energy audit; and gave a summary of different energy components of the municipal complex. Also, Mr. Craig Avalone, Energy Engineer of Clough Harbor Associates, spoke about the energy consuming equipment within the building and methods for potential measures to reduce energy consumption.

Mr. Davis reported that the Township is seeking competitive proposals, under the competitive contracting law, for energy service companies to look at potential energy savings for the municipality and we will receive those proposals on Thursday.

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

PUBLIC HEARINGS

Ordinance 2010-13 An Ordinance amending Chapter 89-6 (Personnel Policies-Time and Attendance) of the code of the Township of Hillsborough, County of Somerset, State of New Jersey to authorize the adoption of a Transitional Duty Policy.

WHEREAS, the Township of Hillsborough does not currently have a transitional or modified duty policy with the exception of General Order 2001-61 applicable to sworn police officers only; and,

WHEREAS, the Central Jersey Joint Insurance Fund (CJJIF), of which Hillsborough is a member, recommends to all member municipalities that a transitional or modified duty policy be adopted covering all municipal employees, as the CJJIF's experience has shown that such policies can help to alleviate the growing cost of workers' compensation, and

WHEREAS, Township Committee believes that employees with temporary job related injuries who are determined by a Physician to be eligible for limited duty should be brought back on the job as soon as possible; and,

WHEREAS, the Township Committee believes that employees who temporarily cannot perform the essential functions of their positions because of injury or illness can still be assigned meaningful work that can be performed consistent with any restrictions, and in the current municipal budget situation, where there can be no growth in the number of employees, it is imperative to gain assistance in the performance of municipal duties from as many sources as possible; and,

WHEREAS, the Township Committee believes that General Order 2001-61 – Temporary Light Duty, and any subsequent amendments and/or replacements to said General Order shall continue to be applicable with regard to sworn police personnel.

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

1. Amend Section 89.6 by adding the following:

(G) Transitional Duty

The Township will endeavor to bring employees with temporary disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform the essential functions of their positions because of injury or illness but are capable of performing alternative duty assignments. Transitional duty is not guaranteed and shall be reviewed by the Township Administrator or his or her designee every forty-five (45) workdays. The number and/or the designation of employees on transitional duty shall be at the sole discretion of the Township Administrator or designee. Employees who are injured on duty shall have precedence for eligibility under this policy over employees who suffer an off-duty illness or injury.

The Township Administrator and/or his designee can require transitional duty when the Workers' Compensation physician, the Township physician and/or the attending physician determines that the employee can return to work with restrictions. The temporarily disabled employee can be eligible for transitional duty once the employee is able to return to work with restrictions. Transitional duty will only be assigned if the employee will be able to perform the essential functions of the position after the transitional duty period. The Township Administrator will consult with the Department Head to determine if there is any meaningful work that can be performed consistent with the restrictions. Transitional duty assignments may be to any department and not just the employee's normally assigned department and may be for any duties that are approved by the Physician.

The Township Administrator or designee will decide if it is in the best interest of the Township to approve a transitional duty request and will notify the employee of his or her decision. There will be no positions created for transitional duty assignments. The Township reserves the right to terminate the transitional duty assignment at any time without cause. The granting or denial of a transitional duty assignment or the termination of such assignment shall not be grievable.

Employees may not refuse transitional duty assignments that are recommended by the Workers' Compensation physician, Township physician and/or attending physician. In such cases, failure to report to work as directed shall constitute immediate grounds for dismissal. If the employee believes that the transitional duty assignment is beyond the employee's abilities, the employee may request a meeting with the Township Administrator who will render a written response within twenty-four (24) hours. Refusal to report for work after said meeting shall also constitute immediate grounds for termination.

Employees on transitional duty will receive their regular salaries and benefits. If transitional duty is approved, the employee and/or Workers' Compensation, Township and/or attending physician must keep the Township Administrator informed of the medical progress of the employee. If, at the end of the transitional duty period, the employee is not able to return to work without restrictions, the Township reserves the right, at its sole discretion, to extend the transitional duty or place the employee back on Workers' Compensation or disability or terminate the employee's employment with the Township. This Policy does not affect an employee's rights under the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, the Contagious or Life Threatening Illness Policy or any other applicable Federal or State law.

Employees will not perform transitional duty functions without a statement of medical certification to support the transitional assignment which must be signed by the treating physician, the Workers' Compensation physician and/or the Township physician. The medical certification must include an assessment of the nature and probable duration of the disability, prognosis for recovery, nature of work restrictions and an acknowledgement by the physician to the fact that the employee can physically assume the restricted duties.

Prior to the return to full duty status, the attending physician, the Township physician and/or the Workers Compensation physician must sign a statement of medical certification supporting the reassignment of the employee back to normal duties without restrictions.

2. General Order 2001-61 and any subsequent amendments and/or replacements of said General Order shall continue to be applicable with regard to Temporary Light Duty for all sworn police personnel.

3. This Ordinance shall be effective upon final adoption and publication in accordance with law.

Committeeman Wagner moved to open the public hearing on Ordinance 2010-13. Said motion was seconded by Committeeman Ferrera and carried unanimously upon call of the roll.

Mayor DelCore reported under this ordinance, Township management will have the option to require municipal employees who are injured on the job or out on disability and are determined by a physician to be able to return to work on a limited basis to do so. The policy is recommended by the Central Jersey Joint Insurance Fund, of which Hillsborough is a member, and is designed to help reduce workers' compensation costs. Police Officers have a similar modified duty policy already established in the Hillsborough Police Manual and are not covered under this ordinance.

Committeeman Wagner moved to close the public hearing on Ordinance 2010-13. Said motion was seconded by Committeeman Ferrera and carried unanimously upon call of the roll.

Committeeman Ferrera moved to adopt Ordinance 2010-13. Said motion was seconded by Committeeman Suraci and carried unanimously upon call of the roll.

INTRODUCTION OF NEW ORDINANCES

Ordinance 2010-16 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 free standing

restaurants and restaurants in multi-use buildings to have drive through facilities with buffer requirements. *Further consideration of this ordinance and public hearing will be held on June 22, 2010.*

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(3) to read as follows:

- (3) Freestanding restaurants and restaurants located in multi-use buildings, which may contain drive-through facilities with buffer requirements pursuant to subsection E(4).

Section 2. Amend Chapter 188 of the Code of the Township of Hillsborough by revising Section 100 E(4) to read as follows:

- (4) For any freestanding restaurant or restaurant located in a multi-use building with a drive-through facility, there shall be a minimum sixty (60) foot buffer adjacent to any residential zone boundary or residential lot line, unless otherwise indicated. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation is sufficient to provide a year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or fencing, and/or a berm, as appropriate. A conservation easement shall be established by the applicant to include the required buffer area subject to the approval of the Township Attorney and recorded prior to the issuance of a Certificate of Occupancy.

Section 3. 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 4. Effective Date. This ordinance shall take effect immediately upon passage and publication according to law.

Mayor DelCore reported this ordinance is a companion to ordinance 2010-15 regarding buffer requirement for drive thru restaurants. Ordinance 2010-16 extends the permitted use of drive through facilities for both free standing and attached restaurants to the Commercial 1 or C-1 district and establishes the same 60 foot buffer that is proposed for drive through facilities in the Light Industrial and Highway Service districts in ordinance 2010-15.

Mayor DelCore stated the change is recommended by the Regulatory Oversight Working Group and, similar to many of the other regulatory changes implemented under the Economic Action plan, will extend business and job creation opportunities in commercial areas.

Mr. Ringelheim, Township Planner, reported when the conditional use provisions were recently revised in the development regulations ordinance there was some wording that was changed to permit free standing restaurants in the C-1 District, however, this deleted the drive through facility provision. Mr. Ringelheim stated, realizing that Wendy's drive through restaurant is in the C-1 District and there was no intent to harm existing businesses, we now recommend this use be permitted in the C-1 District; and we will have the same buffer requirements that are required in the other zones.

Deputy Mayor McCauley moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on June 22, 2010 at 7:30 p.m. Said motion was seconded by Committeeman Ferrera and unanimously approved upon call of the roll.

Ordinance 2010-17 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 live/work dwelling units in the HS District. *Further consideration of this ordinance and public hearing will be held on June 22, 2010.*

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 113.3 B to include the following:

(17) Live/work dwelling units.

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.

Mayor DelCore said also recommended by the Working group, this ordinance will give greater business use flexibility, within the framework of permitted uses, to owners of properties in the Highway Service zone, which is primarily along Route 206. The change will allow a greater portion of a building to be dedicated to business use than is presently allowed under the home occupation regulations, while continuing to allow the business owner/operator to live on the premises. Again, the proposed change potentially increases the value of commercial properties and expands business opportunities which lead to economic and job growth. Mayor DelCore stated there is no expansion of the permitted uses in the Highway Service zone under this proposed change.

Mr. Ringelheim reported the Highway Service District currently has a number of existing residences that continue to exist along the highway. In trying to promote the conversion to business, this is another tool that we are going to use. The difference between home occupations is that, home occupation only allows 25% of the residences to be used for a business and the owner has to live there. Mr. Ringelheim explained in this instance a live/work, where someone would be living there, the work portion must be greater than the living portion. More than 50% would have to be devoted to more of the work portion allowing for far greater business intensity than residential on the property. Mr. Ringelheim said this again is another tool to promote business in this area and change over the residences to businesses.

Deputy Mayor McCauley thanked the Regulatory Oversight Working Group for continuing to help our businesses grow.

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 June 22, 2010 at 7:30

p.m. Said motion was seconded by Committeeman Ferrera and unanimously approved upon call of the roll.

Ordinance 2010-18 An Ordinance amending Chapter 188 (Development Regulations), Section 25 (Violations and Penalties) of the code of the Township of Hillsborough, County of Somerset, State of New Jersey, to revise the penalties for violating the regulations governing the use of any land, building or structure or any provision of Chapter 188. *Further consideration of this ordinance and public hearing will be held on June 22, 2010.*

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 25A to read as follows:

- A. In case any building or structure is erected, constructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of the Municipal Land Use Law (N.J.S.A. 40:55D-1, et seq.) or of any ordinance or other regulation made under the authority conferred thereby, the proper local authorities of the Township or an interested party, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land, to prevent any illegal act, conduct, business or use in or about such premises. Any person convicted of such violations before a court of competent jurisdiction shall be subject to a penalty not to exceed a \$1,000 fine and/or a jail term not to exceed 90 (ninety) days and/or community service for a period not to exceed 90 (ninety) days and where each day and every act is considered a separate violation.

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.

Mayor DelCore reported this ordinance makes a serious change to the way the Township will be able to enforce zoning regulations and sends a clear message to those potential future violators that there will be much more significant penalties for the continued violation of regulations. Mayor DelCore said the majority of Hillsborough business owners are following the zoning rules.

Mayor DelCore said what is unfair to our good businesses, and to our residents, is when some business engages in an activity that is not permitted in a zone, perhaps putting a good business that is following the rules at a competitive disadvantage, and often negatively impacting on a residential neighborhood. This ordinance institutes a new daily penalty for those violators of zoning regulations.

Mayor DelCore explained presently, we are advised that the operator of a business in violation of the zoning code faces a \$500 fine for each violation. If someone is running a

business in an area where it is not allowed, that is one offense and the fine can be a maximum of \$500. Yet that business may tie up the enforcement through long litigation and court battles, all the while continuing to operate in violation, but facing no more fines. The Mayor said in that scenario, it becomes profitable for the business to continue its activities and to ultimately pay what is a relatively small penalty for most concerns.

Mayor DelCore reported under this proposal, for each day there is a violation, there will be a fine of up to \$1000 per day for every day that the violation continues. We believe that in instituting this type of stronger penalty schedule, the offending business will find it less financially feasible to continue to operate in violation of the code and will shut down the offending operation.

Mayor DelCore stated the Judge of the Municipal Court ultimately determines the final penalty; however, today the Judge is limited to just the \$500 maximum for each penalty. Under the change, the Judge will have greater latitude to penalize those who have thumbed their nose at the regulations that everyone else follows. Mayor DelCore said this is not aimed at any specific entity at this time, but the Township has put in place 25 changes to regulations over the past year and one half that are designed to broaden uses and opportunities for business owners and operators in commercial and industrial districts.

Mayor DelCore said given the wide scope of these changes there is absolutely no need for any operation to be taking place outside of permitted uses. Our hope is to never have to institute the new penalty schedule.

Mr. Ringelheim reported the existing penalties do not serve as a deterrent to someone who is determined to illegally operate a business outside of the limits of our ordinance. Mr. Ringelheim reported that there are a small number of businesses that do this; and the new penalties were discussed with both the Zoning Officer and our Board of Adjustment Attorney.

Deputy Mayor McCauley stated that the Hillsborough Township Zoning enforcement process is not designed to gain monetary penalties but to gain compliance with the Township code. The Township does not want to take a local business to court when there are violations, instead we would like to see the violating businesses follow the rules.

Deputy Mayor McCauley explained the process; the Zoning Officer sends out several warning notices, the Zoning Officer or someone from the Engineering staff will communicate directly to the owner to explain the situation and seek voluntary compliance. Deputy Mayor McCauley said sometimes the Business Advocate will also be in contact with the business attempting to develop a strategy in order to rectify the problem.

Deputy Mayor McCauley said in almost all cases there is compliance and resolution without resorting to summons', court appearances or fines. Only those who consistently defy the regulations and disregard all of the reasonable attempts by the Township's staff to gain zoning compliance will receive a summons and face penalties.

Mr. Davis emphasized a point that the Mayor had made, that the Township Committee since January 2009 has made 25 ordinance changes, most of which have expanded the permitted uses in commercial and industrial zones. Mr. Davis said the Working Group has gone extremely far in trying to figure out what can be done to help encourage business development, which encourages job and economic growth, but at the same time gives businesses anywhere in town a chance to operate properly in the proper zone.

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 June 22, 2010 at 7:30 p.m. Said motion was seconded by Committeeman Wagner and unanimously approved upon call of the roll.

CONSIDERATIONS

Mayor DelCore offered the following resolutions:

1. Resolution rejecting the bids for the "Public Works Salt Storage Project" and authorizing rebidding.

WHEREAS, on April 14, 2010, the Township of Hillsborough received bids for the Public Works Salt Storage Project from Park Lane Construction & Development Corp.; Adamsville Maintenance, Inc.; and Kyle Conti Construction, LLC; and

WHEREAS, the lowest numerical bidder, Park Lane Construction and Development Corp., is not the lowest responsible bidder because it failed to include within its bid the Business Registration Certificate and Public Works Contractor Registration Certificate for its electrical sub-contractor, Jakarin Tool; and

WHEREAS, N.J.S.A. 34:11-56.1 provides that "[n]o contractor shall bid on or engage in any contract for public work as defined in [the Prevailing Wage Act] unless the contractor is registered pursuant to this act"; and

WHEREAS, Park Lane Construction & Development Corp. failed to include these items which are material and cannot be waived by the municipality; and

WHEREAS, subsequent to the receipt of bids Park Lane Construction & Development Corp. submitted a Business Registration Certificate and Public Works Contractor Registration Certificate for a different electrical contractor, DEC Electrical Contractors, Inc.; and

WHEREAS, the substitution of subcontractors was specifically prohibited by the Appellate Division decision in Stano v. Soldo Construction Co., 187 N.J. Super. 524 (App. Div. 1983); and

WHEREAS, in Stano the Appellate Division specifically stated at page 535 that:

Finally, we do not believe that appellant's argument that N.J.S.A. 40A:11-16 does not prohibit substitution of contractors or the use of sub-subcontractors has merit. If that were the case, there would be no point in having the subcontractors listed at all. ; and

WHEREAS, the bid of Park Lane Construction & Development Corp. must be rejected because of this attempted substitution; and

WHEREAS, the bids of Adamsville Maintenance, Inc., and Kyle Conti Construction, LLC, may be rejected, pursuant to N.J.S.A. 40A:11-13.2(a), because each of their bids exceeds the engineer's estimate; and

WHEREAS, because all of the bids were defective, the Township Committee of the Township of Hillsborough hereby authorizes that all of the bids be rejected and that the Township Administrator/Clerk proceed to reissue the specifications for the Public Works Salt Storage Project.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough as follows:

1. That the bids of Park Lane Construction & Development Corp.; Adamsville Maintenance, Inc.; and Kyle Conti Construction, LLC, are hereby rejected.

2. That the bid security of each bidder be returned to each bidder along with a copy of this Resolution.
3. That the Township Administrator/Clerk is hereby authorized to rebid the Public Works Salt Storage project.
4. This Resolution shall take effect immediately.

Mayor DelCore reported there was a defect in the bid of the low bidder for the salt storage facility at the DPW, and the other two bids exceeded the funds available through financing by the New Jersey Environmental Infrastructure Trust. Mayor DelCore said on the advice of counsel, the Township is going to re-bid the project.

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

2. Resolution continuing Siobhan Weikel as temporary part-time Assistant in the Administrator/Clerk's Office through December 31, 2010 at a rate of \$15.40 per hour, not to exceed twenty-nine (29) hours per week.

WHEREAS, Siobhan Weikel was appointed as Temporary Part-Time Assistant in the Administrator/Clerk's Office on January 27, 2010 through June 30, 2010, at a rate of \$15.40 per hour, not to exceed twenty-nine (29) hours per week; and

WHEREAS, the Township Administrator/Clerk has reported that Ms. Weikel has an excellent record of performance; and

WHEREAS, the Township Administrator/Clerk recommends the continuation of Siobhan Weikel as Temporary Part-Time Assistant in the Administrator/Clerk's Office through December 31, 2010 at the same rate and number of hours per week.

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 Township Administrator/Clerk is hereby accepted and approved, and Siobhan Weikel be continued in the position of Temporary Part-Time Assistant in the Administrator/Clerk's Office through December 31, 2010 at a rate of \$15.40 per hour, not to exceed twenty-nine (29) hours per week.

Mayor DelCore said Ms. Weikel is doing a very good job in the Administration office as a temporary part time assistant filling what was at one time a full time position. We are pleased to have her continue as a part time employee; and there is no change in the hourly rate.

Committeeman Ferrera thanked Ms. Weikel for doing an excellent job.

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

3. Resolution authorizing an Interlocal Agreement between the Hillsborough Township Health Department and the Branchburg Township Health Department; and the Hillsborough Township Health Department and the Montgomery Township Health Department for the provision of Child Health Conference services.

WHEREAS, the Hillsborough Township Health Department and the Branchburg Township Health Department wish to enter into an Agreement for the provision of child health conference (“CHC”) services; and

WHEREAS, the Hillsborough Township Health Department and the Montgomery Township Health Department wish to enter into an Agreement for the provision of child health conference (“CHC”) services; and

WHEREAS, the CHC services will run from January 1, 2010 through December 31, 2010 and a fee for CHC services will be based on a cost of approximately \$50.00 per child at an average of 1 visit per month.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough that the Mayor and the Township Administrator/Clerk are hereby authorized to sign the attached interlocal services agreements.

Mayor DelCore reported Hillsborough has a long history of this shared health service with both Montgomery and Branchburg. Hillsborough’s Health Department uses its existing child health service program to provide those services to both communities, at a cost to each community of \$50 per child per visit.

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

4. Resolution to hire summer employees for the Department of Public Works and the Department of Parks and Recreation with a start date on or about May 26, 2010, at a salary of \$10.00 per hour funded through the Clean Communities Grant; and to rescind the appointment of Michael Malko as a summer employee for the Department of Public Works, effective immediately.

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

WHEREAS, the Township of Hillsborough will receive \$69,201.76 from the Clean Communities Grant Fund, said monies to be used in part to provide for the cost of the summer help in the Department of Public Works and the Department of Parks and Recreation; and

WHEREAS, the Director of Public Works and the Director of Parks and Recreation has determined that the following eleven (11) applicants are the most qualified candidates and have recommended their appointment as summer employees with a start date on or about May 26, 2010, at a salary of \$10.00 per hour, 40 hours per week:

1. Bryan Upshaw
2. Nicholas Ivone
3. Alex Kimmelman
4. Joshua Jansky
5. Giovanni Cinterrino
6. Zachary Schiffman
7. Jason Blake
8. Andrew Pogorzelski
9. Griffin Dunne
10. Matt Messina
11. Taylor Lazicky

WHEREAS, on May 11, 2010 the Township Committee authorized the hiring of Michael Malko as a summer employee for the Department of Public Works, at a salary of \$10.00 per hour, with a start date on or about May 12, 2010, for a period of up to seventeen weeks, 40 hours per week and Mr. Malko has withdrawn his application.

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 Director of Public Works and the Director of Parks and Recreation hereby be accepted and approved.

BE IT FURTHER RESOLVED, that the hiring of Michael Malko as a summer employee for the Department of Public Works is hereby rescinded.

Mayor DelCore reported the temporary seasonal employees help the Departments of Public Works and Parks and Recreation handle the volume of work during the height of vacation time for regular full time DPW employees. The cost is funded through the Clean Communities grant.

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

5. Resolution authorizing the execution of a Non Fair and Open contract for goods and services, in accordance with the quote process, with Conshohocken Steel Products, Inc. for the purchase of five (5) thirty (30) cubic yard containers, in an amount not to exceed \$22,035.00.

WHEREAS, the Director of Public Works has determined there is a need for five (5) thirty (30) cubic yard containers to assist with the Township of Hillsborough's annual clean up and disposal; and

WHEREAS, the Director of Public Works has obtained two (2) quotes as follows:

Conshohocken Steel Products, Inc.

For five (5) thirty (30) cubic yard containers	\$21,375.00
Shipping	<u>660.00</u>
Total	\$22,035.00

R & B Ram Sales

For five (5) thirty (30) cubic yard containers	\$22,125.00
Shipping	<u>850.00</u>
Total	\$22,975.00

WHEREAS, the lowest quote obtained is below the bid threshold of \$29,000.00, and the purchase of the containers does not require bidding under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Township Committee has decided to award a "Non Fair and Open" contract to Conshohocken Steel Products, Inc. to provide five (5) thirty (30) cubic yard containers using funds available through the Clean Communities Grant, in an amount not to exceed \$22,035.00 pursuant to Conshohocken Steel Products, Inc.'s proposal, dated May 25, 2010; 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, Conshohocken Steel Products, Inc. has submitted the required Political Contribution Disclosure form.

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 execute the Township's standard form of agreement for "Goods and Services" and any modifications thereto and related constituent documents as may be found acceptable by the Township Committee.

Mayor DelCore reported the Director of Public Works recommends the Township purchase five additional refuse containers for use at the Auten Road Facility. Mayor DelCore said Conshohocken provided the low quote. Funds for the purchase are available through the clean communities grant.

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

Mayor DelCore reminded the public that the next Township Committee meeting will be on Monday, June 7th at 7:30 pm. Mayor DelCore explained when the calendar was set at the beginning of the year that date was picked because the Primary Election is on Tuesday, June 8th.

CONSENTS

Mayor DelCore offered the following consent agenda:

1. Resolution approving the request from the estate of Helen Kosinski for release of development review escrow, in the amount of \$740.64.

WHEREAS, a request has been received from John Kosinski, Executor of the Estate of Helen Kosinski, for the release of Development Review Escrow; and

WHEREAS, the Hillsborough Township Planner certifies that all work related to the review of the above has been completed; and

WHEREAS, the Hillsborough Township Planner recommends that the Township Committee take action to release the \$740.64 Development Review Escrow because the work has been completed.

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 Hillsborough Township Planner is hereby accepted and approved; and John Kosinski, Executor of the Estate of Helen Kosinski, receive development review escrow from the Estate of Helen Kosinski, in the amount of \$740.64.

2. Resolution authorizing tuition reimbursement to Christine Crivello, Building Inspector, for completion of the course "Fire Inspector ICS" held at Warren County College from January 11, 2010 through April 21, 2010, in the amount of \$907.50.

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 XXXIII, Paragraph K of the Collective Bargaining Agreement between the Township of Hillsborough and AFSCME 3697; and

WHEREAS, Christine Crivello has successfully completed the "Fire Inspector ICS" course through Warren County College; and

WHEREAS, Christine Crivello has requested consideration under the Township's Educational Assistance provisions; and

WHEREAS, the Director of Building & Construction has requested favorable consideration of Christine Crivello's request for financial reimbursement of seventy-five percent (75%) of the \$1,080.00 cost incurred for this course, and \$130.00 for the testing fee for a total of \$907.50.

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 Director of Building & Construction is hereby accepted and approved.

3. Resolution ratifying and confirming the action of the Township Administer/Clerk approving the request for proposed fire hydrant installation – *Country Classics 3D Development*.

WHEREAS, as part of the Country Classics 3D Development Project, New Jersey American Water Company is proposing installation of three (3) public hydrants; and

WHEREAS, the fire hydrants must be installed at the same time the water mains are installed because the pipe connections to the hydrants are installed in the water mains; and

WHEREAS, the Fire Official has determined that for the public safety, health and welfare, the installation of three (3) public fire hydrants are required to properly serve the project.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby ratify and confirms the action of the Township Administrator/Clerk approving the request for the installation of three (3) public fire hydrants, as determined to be required by the Fire Official, at Country Classics 3D Development.

4. Resolution approving the request from Tim Webster for release of development review escrow, in the amount of \$166.54.

WHEREAS, a request has been received from Tim Webster for the release of Development Review Escrow; and

WHEREAS, the Hillsborough Township Planner certifies that all work related to the review of the above has been completed; and

WHEREAS, the Hillsborough Township Planner recommends that the Township Committee take action to release the \$166.54 Development Review Escrow because the work has been completed.

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 Hillsborough Township Planner be and hereby is accepted and approved.

5. 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.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey approve participation in the Safe and Secure communities Program.

6. Resolution ratifying and confirming the action of the Township Administrator/Clerk submitting the 2011 Recreation Opportunities for Individuals with Disabilities Grant application.

WHEREAS, the Township of Hillsborough desires to apply for and obtain a grant from the New Jersey Department of Community Affairs (NJDCOA) for \$16,300.00 for the Inclusive Recreation Specialist position; and

NOW, THEREFORE, BE IT RESOLVED, that the Township of Hillsborough does hereby authorize the application for such a grant and recognizes and accepts that the NJDCOA may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the NJDCOA, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the NJDCOA, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Hillsborough and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Mayor and the Township Administrator/Clerk are hereby authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

7. Resolution authorizing refund of tax overpayments in the amount of \$46,939.13.

WHEREAS, real property tax payers overpaid their real property taxes and:

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

NOW, THEREFORE BE IT RESOLVED, 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 amounts to the property owner. Total, \$46,939.13, properties, 27.

Block	Lot	Name	Amount	Qtr	Year
8	64	Wells Fargo Home Mortgage	\$1,937.99	2 nd	2010
8	81	First American R/E Tax Service	2,311.50	2 nd	2010
11	13.01	Briarwood Farms, LLC	4.58		2009
11	36	Wells Fargo Home Mortgage	1,531.66	2 nd	2010
31	5.01	First American R/E Tax Service	1,707.40	2 nd	2010
145.03	10	BAC Tax Services Corporation	4,331.38	2 nd	2010
150	8.B	Wells Fargo Home Mortgage	1,772.55	2 nd	2010
150.06	2	First American R/E Tax Service	2,598.22	2 nd	2010
150.06	21	First American R/E Tax Service	2,570.20	2 nd	2010
151.20	7.22 Condo	First American R/E Tax Service	827.95	2 nd	2010
153.05	22025	BAC Tax Services Corporation	1,348.35	2 nd	2010
153.12	2102 Condo	First American R/E Tax Service	1,030.20	2 nd	2010
163.06	422 Condo	Wells Fargo Home Mortgage	1,193.82	2 nd	2010
163.06	644 Condo	First American R/E Tax Service	1,192.30	2 nd	2010
163.08	604 Condo	Sequoia Investments	1,120.34	2 nd	2010
163.08	2204 Condo	Wells Fargo Home Mortgage	515.47	2 nd	2010
169	7.D	First American R/E Tax Service	2,167.96	2 nd	2010
173	20	Wells Fargo Home Mortgage	1,733.16	2 nd	2010
174	113	First American R/E Tax Service	2,033.89	2 nd	2010
178	5	Tad Dabrowski	2,347.49	2 nd	2010
178	11	Tad Dabrowski	1,592.26	2 nd	2010
178.02	199	First American R/E Tax Service	1,005.95	2 nd	2010
178.02	320	First American R/E Tax Service	1,341.53	2 nd	2010
180.03	23	Beazer Homes	492.37	2 nd	2010
191	22.G	First American R/E Tax Service	2,191.06	2 nd	2010
204.F	54	First American R/E Tax Service	2,767.15	2 nd	2010
205.16	36	First American R/E Tax Service	3,272.40	2 nd	2010

8. Resolution authorizing tuition reimbursement to Captain Paul Merkler for completion of the class "English Composition II" offered through Columbia Southern University, in the amount of \$438.75.

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, Captain Merkler has successfully completed the "English Composition II" course through Columbia Southern University; and

WHEREAS, Captain Merkler has requested consideration under the Township's Educational Assistance provisions; and

WHEREAS, the Chief of Police has requested favorable consideration of Captain Paul Merkler's request for financial reimbursement of seventy-five percent (75%) of the \$585.00 cost incurred for a total of \$438.75.

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.

9. Resolution authorizing the Mayor and Township Administrator/Clerk to execute a resignation agreement with Edward Krachun, Public Works Worker, Department of Public Works, effective May 26, 2010.

WHEREAS, Edward Krachun is employed by the Township of Hillsborough as a Department of Public Works Worker; and

WHEREAS, in lieu of the Township pursuing disciplinary charges against Mr. Krachun based on Mr. Krachun's loss of both his Commercial Drivers' License (CDL) and his regular driver's license, the parties have entered into an Agreement pursuant to which, among other terms and conditions, Edward Krachun has submitted his irrevocable letter of resignation from the position of Public Works Worker, Department of Public Works, effective May 26, 2010.

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 execute the resignation agreement with Edward Krachun, effective May 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 2010-10

Upon motion by Deputy Mayor McCauley, seconded by Committeeman Wagner, Claims List 2010-10 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:
 - *Negotiations: Hillsborough Township Police 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 8:41 p.m.

Committeeman Suraci motioned to come out of executive session at 8:52p.m.; said motion was seconded by Committeeman Ferrera and was unanimously adopted by voice vote.

Mayor DelCore asked for a motion to reconvene from Executive Session. Upon motion by Committeeman Suraci, seconded by Committeeman Ferrera, meeting was reconvened and was unanimously approved upon call of the roll.

Mayor DelCore reported the Township Committee members met in Executive Session to discuss collective bargaining negotiations with the Dispatchers Local 701. Mayor DelCore said consensus was reached in Executive Session to consider the following resolution:

- Resolution authorizing the Mayor and Township Clerk to execute a Memorandum of Agreement between the Township of Hillsborough and the Dispatchers Teamsters Local 701, establishing the terms and conditions for a collective bargaining agreement for the period January 1, 2009 to December 31, 2010, in a form satisfactory to Labor Counsel and Teamsters Local 701.

Mayor DelCore stated the seven-member Dispatchers Union has agreed to no salary increase in 2010. They are the fifth municipal employee group to do so. Mayor DelCore said the Township appreciates their willingness to help during these difficult economic times.

Mayor DelCore reported the Dispatcher's last agreement terminated at the end of 2008, as a result the Dispatchers will be required to contribute 1.5% of their salary towards the cost of health benefits pursuant to Public Law 2010, Chapter 2.

Mayor DelCore said additionally this agreement maintains an already agreed to 3.5% increase in 2009, the same increase all other non uniform groups received last year, and they will receive 0% for 2010.

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

ADJOURNMENT

Upon motion by Committeeman Suraci, seconded by Committeeman Ferrera, the meeting duly adjourned at 8:55 p.m. Said motion was carried unanimously upon voice vote.

Attested:

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