

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, Committeewoman Gloria McCauley, Committeeman Carl Suraci, Deputy Mayor Robert C. Wagner, Jr., and Mayor Frank DelCore. Also, in attendance were Township Attorney Albert E. Cruz, Township Administrator/Clerk Kevin P. Davis and Assistant to the Administrator Dianne Borngesser.

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 October 27, 2009.

APPOINTMENTS/PROCLAMATIONS

- ***Proclamation honoring Eric Booth as the Somerset Valley YMCA's 2009 Youth Volunteer***

WHEREAS, The New Jersey YMCA State Alliance (NJYMCA) hosted their annual Dinner on Thursday, October 1, 2009, where they recognized the efforts of youth volunteers for their commitment to the YMCA; and

WHEREAS, Eric Booth, a nine year old Hillsborough resident, was honored as the Somerset Valley YMCA's 2009 Youth Volunteer and received the 2009 "Spirit of the YMCA" Award; and

WHEREAS, Eric, a YMCA member since he was 4 months old, has volunteered in various ways to help the YMCA and its mission, including running a lemonade stand to benefit the YMCA's annual strong kids program when he was just seven years old; and

WHEREAS, Eric has also volunteered, with his parents, every year for the YMCA annual 5K run where he is known to always have a smile on his face as he greets the runners at the completion of the race and helps with the finish line activities; and

WHEREAS, according to the Hillsborough Family YMCA Branch Executive, Eric is a very caring, giving young man who always does whatever he can to help another child have the benefits he does; and

WHEREAS, in addition to volunteering and participating in various camps and programs offered at the YMCA, Eric spends his time drawing, reading, playing baseball, basketball, swimming, playing video games and learning to play the guitar; and

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

NOW, THEREFORE, BE IT PROCLAIMED that we, the Township Committee of the Township of Hillsborough, do hereby commend Eric Booth for his outstanding volunteer work and for receiving the 2009 "Spirit of the YMCA" award and wish him best wishes for a bright future.

- **Proclamation honoring the AHA Heart Walk/Team Brian Hahl**

WHEREAS; Mayor Frank DelCore and previous Mayors Anthony Ferrera and Carl Suraci have committed to the New Jersey Mayors Wellness Campaign (MWC) to put our community in motion and promote exercise, eating properly and living healthier and better lives; and

WHEREAS, Hillsborough Township has been recognized as an American Heart Association Start! Fit Friendly Company for the last three years by running community and employees fitness programs and education; and

WHEREAS, as a tribute to the various community members and faculty that the Township has lost due to heart disease and heart related issues, the Director of the Mayors Wellness Campaign formed a walking team to participate in the 2009 American Heart Association (AHA) Heartwalk, on 9/27/09, to raise community awareness about such diseases; and

WHEREAS, the Hillsborough Middle School Principal, 7C Teachers, Cross Country Coaches and Faculty joined the Mayors Wellness Team and formed 'Team Brian Hahl' to participate in the AHA Heartwalk in memory of the beloved teacher who recently passed away due to a heart attack; and

WHEREAS, of the 92 registered Hillsborough Mayors Wellness walkers, 78 were part of 'Team Brian Hahl' and earned the distinction of #1 Team at the AHA Heartwalk and contributed to the overall success of the Hillsborough Township Mayors Wellness Team, which achieved #3 Company Team.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Township Committee of the Township of Hillsborough, do hereby commend Team Brian Hahl (#1 Team) for their hard work, dedication and commitment to raising community awareness and funds to fight heart disease.

BE IT FURTHER PROCLAIMED that we, the Mayor and the Township Committee, further commend Team Brian Hahl for the honor they have brought to themselves, our community and to the memory of Mr. Brian Hahl.

APPROVAL OF MINUTES

- *Approval of the September 8, 2009 Regular Session Minutes*

Upon motion by Deputy Mayor Wagner, seconded by Committeewoman McCauley, the minutes of the September 8, 2009 Regular Session were unanimously approved upon the call of the roll.

- *Approval of the October 13, 2009 Executive Session Minutes*

Upon motion by Committeeman Suraci, seconded by Committeewoman McCauley, the minutes of the October 13, 2009 Executive Session were unanimously approved upon the call of the roll.

Mayor DelCore introduced Dr. Glen Belnay. Dr. Belnay reported on H1N1.

Dr. Belnay spoke about the H1N1 flu vaccination clinics, costs involved and that Hillsborough has joined seven other local health departments in Somerset County and formed the greater Somerset Public Health Partnership which will allow our residents to register in other clinics in other towns. Dr Belnay explained that this will give residents an opportunity to participate in the program, and to find a convenient location and time to receive a vaccination.

Dr. Belnay said clinics in Hillsborough are scheduled for November 10th and November 17th and will be held in the municipal building. The vaccinations are free of charge. Dr. Belnay said for more information check the Township's website.

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

Committeeman Ferrera

Committeeman Ferrera said there is a change in time for the Township Halloween party at Norz Hill Farm. The hours are from 4:00 p.m. to 6:30 p.m. on Thursday, October 29th and then from 7:00 p.m. to 10:00 p.m. Committeeman Ferrera said that we are asking children thirteen and under to attend during the hours from 4-6:30 p.m. There is a \$10.00 charge for a hayride, corn maze, one pumpkin donut and apple cider. The 7-10:00 p.m. event is geared toward children thirteen and above. There is a \$13.00 charge for the creepy hollow haunted corn trail, bon-fire, live band and food.

Committeeman Ferrera said he and Deputy Mayor Wagner as liaisons to the GSA Advisory Committee met last Wednesday for the Design Charette. The Committeeman said he appreciates all the people who attended as well as the newspaper coverage.

Committeewoman McCauley

Committeewoman McCauley reported that we had another successful Economic and Business Development event last week, that was attended by over 200 representatives of Hillsborough businesses.

Committeewoman McCauley said one of Hillsborough's newest businesses, Lynn Academy of Irish Dance, located on Jill Court, in fact, provided some special entertainment at the event, where six young dancers performed an Irish melody of dances in the river-dance style. It was quite enjoyable for all in attendance. Those who are interested can find out more about the Lynn Academy on Hillsborough's EBDC website, hillsboroughbusiness.org.

Committeewoman McCauley said she has received a report from the Township Business Advocate, Gene Strupinsky, that as of this date 56 new businesses have opened in Hillsborough in 2009, with five more expected to open before the end of the year. This is great news and demonstrates that, despite the economy, Hillsborough continues to be a great place to do business.

Committeewoman McCauley said that she believes it is safe to say that the change in attitude we have brought about by the municipal regulatory offices, the aggressive work on behalf of business by the Business Advocate, and the effort to move the bureaucracy out of the way of business, have contributed to attracting these new businesses to Hillsborough this year.

Committeewoman McCauley stated that additionally, Mr. Strupinsky reports that six businesses have either already opened or constructed new buildings, as a direct result of

changes made through the Economic Action Plan. These are six businesses that simply would not be here if not for the changes made by the Economic Action Plan.

Committeewoman McCauley thanked and congratulated the Working Group members for their efforts in making recommendations for the Economic Action Plan. The Committeewoman said we have taken a very serious approach to the economic situation here in Hillsborough, and it is beginning to pay dividends.

Committeeman Suraci

Committeeman Suraci reported on where the Township stands this year with regard to grants from outside agencies. Committeeman Suraci said grant funds have across the board, become much more limited, harder to obtain, and more competitive than ever before. In fact, the Township just received notice from the NJ DOT that our grant application for funding help with the paving of Dukes Parkway West has been approved in the amount of \$200,000. This is a significant grant approval. Committeeman Suraci said it is more than half of the projected cost of the project which should be addressed in next year's capital budget and creates a savings for local property taxpayers.

Committeeman Suraci extended his congratulations to Assistant Township Engineer Tom Belanger for his work on this application. Committeeman Suraci explained that one of the reasons Hillsborough continues to qualify for these NJDOT road paving grants is the work that is done by our staff in preparing and maintaining records of accountability for the State Department. Those records need to be meticulous and Mr. Belanger has always done a great job in that regard. As have many other Department Heads and staff people who are involved in seeking grants.

Committeeman Suraci said in 2009 alone, the Township has already received checks for eight grants totaling nearly \$140,000, including public health priority funding, safe and secure communities, and clean communities grants, just to name a few. Sixteen other grants have already been approved for funding, totaling near \$790,000, including a federal energy efficiency grant for \$153,000 and this does not count grant approvals for farmland and open space funding that totals another \$3.3 million.

Committeeman Suraci explained that when those open space and farmland preservation grants are received, they are placed in the open space trust fund as reimbursement for outlays from that fund for land preservation.

Committeeman Suraci said additionally, the staff is awaiting word on approvals of another five grants totaling nearly another \$144,000. Sometimes people may think that grants are a solution for funding grant government operations but they are not, grant funds are almost always specifically targeted and are not by themselves a solution for property taxes.

Committeeman Suraci said however, some like the state body armor grant that goes toward the replacement of bullet proof vests for Police Officers, are beneficial because they allay some of the costs that would otherwise be borne by the taxpayers.

Committeeman Suraci said the key is the work our staff does in identifying potential grant opportunities and the effort made to put together solid applications that stand up well in the competitive process.

The Committeeman said the record speaks for itself, at least twenty nine grants –totaling more than \$1 million, not counting the open space funds. Eight of which we have already received the funds, another sixteen of which are approved, and five in the pending file. Committeeman Suraci congratulated all who have been involved in the process.

Deputy Mayor Wagner

Deputy Mayor Wagner said at the last few meetings here, the Township Committee approved agreements with the Department of Transportation that are important preliminary actions leading up to the start of construction on the 206 By-pass. Now there is additional news from the NJDOT that is extremely encouraging. The Department of Transportation is presently soliciting bids for tree and vegetation removal along a 26 acre area of the 206 By-pass right of way. The bid closing date is October 29th. The contract value, according to the DOT bid notice, is for up to \$5 million – that is a pretty significant contract amount. The estimated completion date for the clearing of trees and vegetation is April, 2010.

Deputy Mayor Wagner said this demonstrates that it is now pretty clear that the DOT is taking real steps toward getting this project underway. The Deputy Mayor said the DOT has a plan in place for the replacement of all trees removed for the road construction and environmental approvals for vegetation removals.

Deputy Mayor Wagner extended an invitation to all Hillsborough veterans to join us on November 11th, Veterans' Day, at 7 pm, here at the Municipal Complex for the Township's First Annual Veterans' Day Ceremony.

Deputy Mayor Wagner said we have a very good committee of local veterans, including; Stan Lapidow, Ted Dima, Lou Possemato, and Andy Fishman, who, along with help from Ron Skobo, have put together an excellent program for our veterans.

Deputy Mayor Wagner said there will be a ceremony at the Garden of Honor, followed by a march of veterans to the Municipal Building. The public is invited and encouraged to come out to observe the ceremonies and help honor our veterans. A reception for the participating veterans will be held in the Municipal Building following the ceremonies. Again, it will be Veterans' Day, November 11th, 7 pm, here at the Garden of Honor.

Deputy Mayor Wagner gave an update on the grassland bird habitat project at Otto's Farm Park from Chickie Haines, our volunteer Open Space and Farmland Preservation Coordinator. The Deputy Mayor said with the guidance of Ms. MacKenzie Hall, private lands biologist, for the Conservative Wildlife Foundation of New Jersey, planning was put in place for the removal of invasive species at Otto's Park.

Deputy Mayor Wagner said phase II is the planning of the native grassland crops. This project is expected to enable our residents to enjoy the natural and environmentally balanced park in the future. Deputy Mayor Wagner said this is underway and looks forward to the activities there in the spring.

Mayor DelCore

Mayor DelCore reported that two weeks ago was the one year anniversary of the Senior Citizen Activity Center at the Township Municipal Building. An open house and celebration was available to all seniors. Mayor DelCore thanked the Senior Chapter A and B presidents, as well as the municipal staff who volunteered for this event. We had a tremendous turnout from our seniors.

Mayor DelCore said last Friday was the annual red ribbon sock hop at Auten Road School. Mayor DelCore thanked Diane Handwerk as well as all the red ribbon volunteers for all their hard work. Mayor DelCore said this is a fun event for the children but more important this has raised money and awareness for the red ribbon cause, and their slogan this year is "Drug Free is the Key".

Mayor DelCore said last week he had the opportunity to attend a dinner for "Dance for the Cure", which is a cancer education and support group that was formed by Hillsborough's own, Kathleen Cirioli and Joanne Liscovitz. Mayor DelCore said this organization helps cancer patients with education and support and uses dance as a way to help cancer patients get through very difficult times.

NEW BUSINESS

- *None at this time.*

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

Norm Hewitt, Millstone, expressed his concerns regarding Hillsborough Properties. Mr. Davis advised Mr. Hewitt to make an appointment with the Township Engineer to further discuss this issue.

Tom O'Donnell, 33 Anne Street, expressed his concerns about the Claremont Sewer project. Mr. O'Donnell questioned what will be engineered and built in this area. Mr. Davis and Mayor DelCore told Mr. O'Donnell to come in and discuss his issues with the engineers and attorneys. Mr. Davis told Mr. O'Donnell that he welcomes further discussions with the experts on this issue.

Doug Eden, 55 Anne Street, said his concerns are the same as Mr. O'Donnell. He also questioned a roadway that is shown on the map of the Claremont Sewer area. Mr. Davis explained that there is no road there and to come in and speak to Tom Belanger, Assistant Township Engineer, to get this matter verified.

Dr. Steven Sireci, Chair of the GSA Depot Advisory Committee, said he was at the Design Charette last week and was able to fit on the plan a community center, water park, eight baseball fields, four soccer fields, two football fields, roller-rink, roller hockey rink, a couple of bmx tracks, a dog walking area, two cricket pitches, an environmental center, areas for tennis courts, basketball and a large playground. Mr. Sireci said there is still plenty of room left over for biking, hiking trails and a place to shoot off the fireworks on 4th of July. Mr. Sireci said this is what can fit on the property that the town already owns.

Mayor DelCore motioned for a thirty minute recess. The Township Committee had to attend services for a member of the Credit Card Advisory Committee who passed away. Upon motion by Committeewoman McCauley seconded by Committeeman Ferrera recess commenced.

Mayor DelCore motioned to return from recess. Upon motion by Committeeman Suraci seconded by Deputy Mayor Wagner, recess concluded and was unanimously approved upon call of the roll.

Mayor DelCore said we are returning to public comment on new business and matters not on the agenda. There were no more comments.

PUBLIC HEARINGS

- *None at this time*

INTRODUCTION OF NEW ORDINANCES

- *None at this time.*

RECESS

CONSIDERATIONS

Mayor DelCore offered the following resolution:

1. Resolution accepting the New Jersey Department of Transportation amended order, Docket No. DOT W08-2007P, for Valley Road Grade Crossing Quiet Zone.

WHEREAS, an original Permissive Order for the establishment of a quiet zone at the Valley Road grade crossing was issued by the New Jersey Department of Transportation (NJDOT) on October 30, 2007; and

WHEREAS, the NJDOT initiated a review of the Valley Road grade crossing based on a petition submitted by the Township of Hillsborough to determine whether the engineering technical changes at the crossing relating to Hillsborough's initiation of the process of designating a quiet zone under the Federal Railroad Administration's rules will serve the public; and

WHEREAS, the railroad is owned, operated and maintained by the Norfolk Southern Corporation; and

WHEREAS, Norfolk Southern has recently submitted a letter explaining their limited experience with post-mounted electronic wayside horns and is not authorizing the use of wayside horns at any other location until it has fully evaluated their operation; and

WHEREAS, based on this fact, this amended order will no longer include the use of a post-mounted electronic wayside horn.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it does hereby accept the New Jersey Department of Transportation amended order, Docket No. DOT W08-2007P, for Valley Road crossing quiet zone.

Mayor DelCore said this amended quiet zone order from the NJ Department of Transportation will permit the setting of an interim quiet zone at the Valley Road crossing

without the construction of a wayside horn. This is good news for many of our residents who live near the Valley and Roycefield Road rail crossings.

Mayor DelCore said as we discussed at the last meeting, even though the Township made the safety improvements required for a quiet zone at the Roycefield crossing last year, federal regulations prohibit the ending of train horns at the Roycefield crossing until improvements are completed at the Valley crossing, because the crossings are within one half mile of each other.

Mayor DelCore stated that the Norfolk Southern Railway company is testing the wayside horn in pilot projects elsewhere in the nation. That testing will not be completed until sometime in 2010. In order to expedite the establishment of quiet zones at both Valley and Roycefield, the Township has successfully gained an amended order from the NJDOT. Under the new order, the Township is obligated to put in place certain safety and warning signs and street markings at the Valley crossing, which have already been completed.

Mayor DelCore said Norfolk Southern is responsible for the installation of signal circuitry to establish a constant warning time for the warning devices, power out indicators, and a 'do not stop on tracks' sign on the masts at the crossings. These improvements will increase safety at the Valley crossing.

Mayor DelCore said the Township's staff and engineering consultants will be monitoring Norfolk Southern's installation of the improvements to ensure that they are completed as soon as possible. The NJDOT will inspect all improvements once they are completed. Then, following a twenty one (21) day comment period, Norfolk Southern must terminate the sounding of train horns.

Mayor DelCore said all of us on the Township Committee recognize the importance of quiet zones to the quality of life for those who live near the rail line which is why this project has been a priority.

Committeeman Suraci said residents have told him that their quality of life has improved since the sounding of train horns were terminated at the Beekman crossing. Committeeman Suraci said we have been equally committed to seeing this project through to its successful completion for the homeowners near the Valley and Roycefield crossings.

Committeeman Suraci said we appreciate the NJDOT'S help and the cooperation we have received from Norfolk Southern. Committeeman Suraci stated that the Township Committee will continue to make this a priority until it is completed.

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

2. Resolution authorizing the Township Administrator/Clerk to execute an agreement with Electric Vine Inc. to perform the services of an Internet Service Provider for the Township's Sustainable Hillsborough website, in an amount not to exceed \$600.00 per year.

WHEREAS, the Assistant Planner/Zoning Officer has expressed the need for an Internet Service Provider to host the Sustainable Hillsborough website by responding promptly to inquiries and concerns regarding availability of the Site, back-up the Site once a week and store such back-up materials in a safe and secure location; and

WHEREAS, Electric Vine Inc. has worked in conjunction with the New Jersey State Sustainability Institute (NJSSI) to design the website templates so municipalities can upload specific portions of their plans; and

WHEREAS, the Assistant Planner/Zoning Officer has recommended awarding a contract to Electric Vine Inc. to perform the service of an Internet Service Provider for the

Sustainable Hillsborough website, in an amount not to exceed \$600.00 per year pursuant to their proposal dated September 23, 2009; and

WHEREAS, the amount of the contract is below the Township of Hillsborough's bid threshold of \$29,000 and is therefore not required to publicly bid for this service (N.J.S.A. 40A:11-3 and 11-9 et seq.); 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 that it does hereby authorize the Township Administrator/Clerk to execute an agreement with Electric Vine Inc. to perform the service of an Internet Service Provider for the Sustainable Hillsborough website, in an amount not to exceed \$600.00 per year.

Mayor DelCore said in order to expand information regarding Hillsborough's sustainable strategic plan and to make it more available to the public and to invite comment, the New Jersey Sustainability Institute has recommended creating a specific sustainability website.

Mayor DelCore stated that Electric Vine will perform the services of an internet service provider and host Hillsborough Township's sustainability website. That web address is sustainablehillsborough.org and the Mayor encouraged everyone to visit it for in-depth information on our sustainable strategic plan.

Committeewoman McCauley said the sustainable Hillsborough website will be an asset to our residents because the new host can support the strategic plan for a sustainable Hillsborough. Residents will be able to view the goals of the Sustainable Hillsborough Steering Committee and view the indicators showing how Hillsborough is to achieving those goals.

Committeewoman McCauley stated that we recently passed our first phase of Sustainable Hillsborough. We are looking forward to the second phase which we will be working on next year. This will be a way for residents to log on to the website and view the progression. Committeewoman McCauley strongly supports this resolution.

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

3. Resolution authorizing the Chief Finance Officer to process a salary increase of 3 ½ % to \$20.01 per hour for Fire Marshal John Andreychak, as established and approved by the Hillsborough Township Board of Fire Commissioners on October 13, 2009.

WHEREAS, the Office of Fire Safety is governed by the Hillsborough Township Board of Fire Commissioners, an autonomous group elected by the voters; and

WHEREAS, at their October 13, 2009 meeting, the Board of Fire Commissioners approved a salary increase for John Andreychak, part-time Fire Marshal, his salary is increased by 3 ½% to \$20.01 per hour starting the week of October 19, 2009; and

WHEREAS, the Chairman of the Board of Fire Commissioners has submitted these approvals to the Township Administrator/Clerk and the Township Chief Finance Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it hereby accepts the salary increase for Fire Marshal John Andreychak, as approved by the Hillsborough Township Board of Fire Commissioners.

Mayor DelCore said the Township provides payroll services for the Fire Commission as a shared service. Decisions regarding salaries of Fire Safety personnel are made by the independently elected Fire Commission.

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

4. Resolution adopting an Identity Theft Policy for the Township of Hillsborough.

WHEREAS, the Fair and Accurate Credit Transactions Act of 2003, an amendment to the Fair Credit Reporting Act, required rules regarding identity theft protection to be promulgated; and

WHEREAS, those rules become effective November 1, 2009, and require the Township to implement an identity theft program and policy, and

WHEREAS, the Chief Finance Officer recommends that the Township Committee adopt the Identity Theft Policy, as it is in the best interest of the Township of Hillsborough and its citizens.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough that the Identity Theft Policy annexed here to is hereby accepted and approved.

Mayor DelCore stated under new Federal Trade Commission regulations the Township must officially authorize a policy to protect employees and others, including residents, who do business with the local government, from identity theft, by November 1, 2009.

Mayor DelCore said as the Township makes services more convenient for residents, including on line tax payments, web based recreation registration with credit or debit cards, and dog license renewals over the internet, ensuring we have the appropriate policy protecting against identity theft is imperative.

Mayor DelCore said the identity theft policy is recommended by the Township Attorney and the Chief Finance Officer. The policy applies to all employees, contractors, consultants, temporary workers and all personnel affiliated with third parties. The policy protects sensitive information and the electronic distribution of information. It deals with suspicious documents and lays out a plan for dealing with so called red flags, or potential indicators of fraud.

The Mayor explained that under the policy the CFO and any other employee who deals with potentially sensitive identification information are required to undergo specific identity records protection training. Hillsborough has always followed strict guidelines for dealing with sensitive materials, however, the new regulations require that an official policy be approved by the Township Committee.

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

5. Resolution ratifying and confirming the action of the Township Health Officer and Administrator/Clerk executing an agreement and amended agreement with Community Visiting Nurse Association for public health nursing services to the residents of the Township of Hillsborough.

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

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

WHEREAS, the Township Health Officer met with the staff of Community Visiting Nurse Association and recommends the award of contract be made to them in the amount of \$13,524 pursuant to their proposal dated January 12, 2009, which contract is to end on December 31, 2009; and

WHEREAS, the Township Health Officer has determined that there is a need for additional nursing services because the Township is planning for H1N1 flu vaccination clinics for which the Visiting Nurse Association would supply nurse vaccinators, which services are outside the scope of the original contract; and

WHEREAS, additional nursing services are available to the Township on an as needed bases at the rate of \$42.00 per hour, in an amount not to exceed \$6,720 for a total contract amount of \$20,244; and

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

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

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

1. The action of the Township Health Officer and Administrator/Clerk in executing a contract and amended contract with Community Visiting Nurse Association to provide public health nursing services to the residents of the Township of Hillsborough in the amount of \$13,524.00 and additional nursing services, on an as needed bases, at the rate of \$42.00 per hour, not to exceed \$6,720 is hereby ratified and confirmed.
2. This resolution shall take effect immediately.

Mayor DelCore said the Visiting Nurse Association, in addition to its regular services to the Township, has stepped up to the plate and is providing the nursing services needed to assist with the distribution of the H1N1 flu vaccine.

Mayor DelCore said the initial annual contract is for \$13,524 and provides for child health conference services, nutrition services and visits to hi risk prenatal, post partum, and new born patients. The extra services to assist with the H1N1 flu clinics will add \$6720 to that contract. The additional funds are covered in the H1N1 grant to the Township .

The Mayor said nursing personnel dealing with the flu clinics are in very high demand right now. Hillsborough is fortunate that our relationship over the years with the community visiting nurse association is now paying dividends for our residents by making staff available for the clinics. Mayor DelCore thanked them for their assistance in our time of need.

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

CONSENTS

Mayor DelCore offered the following consent agenda:

1. Resolution accepting Performance Bond No. 105116519 from Travelers Casualty and Surety Company of America for InterState Commercial for the Walgreen's Project.

WHEREAS, a request has been received from InterState Commercial for the acceptance of Performance Bond #105116519 for right of way improvements on Raider Boulevard to be completed by Walgreen's; and

WHEREAS, Assistant Township Engineer Thomas Belanger recommends that the Township Committee take action, subject to the review and report of the Township Attorney to accept:

1. Performance Bond No. 105116519 from Traveler's Casualty and Surety Company for InterState Commercial for Walgreen's project in the amount of \$35,045.00.

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

2. Resolution approving the applications for Special Permit for Social Affair for St. Mary's Byzantine Catholic Church to be held on October 30, 2009 and December 6, 2009.

WHEREAS, applications for a Special Permit for Social Affair has been filed by St. Mary's Byzantine Catholic Church for events to be held on October 30, 2009 and December 6, 2009; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the applications for Special Permit for Social Affair for St. Mary's Byzantine Catholic Church for events to be held on October 30, 2009 and December 6, 2009.

3. Resolution approving an application for a Carnival License by Harrison F. Skeeel for Autumn Festival at Christian Community Chapel on October 31, 2009.

WHEREAS, an application for a carnival license has been filed by Harrison F. Skeeel for the Autumn Festival to be held on October 31, 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 approves the carnival application submitted by Harrison F. Skeeel for the Autumn Festival to be held on October 31, 2009.

4. Resolution approving the request from Thomas Shanahan for the release of Development Review Escrow, in the amount of \$300.05.

WHEREAS, a request has been received from Thomas Shanahan 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 \$300.05 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.

5. Resolution authorizing refund of tax overpayments in the amount of \$962.31.

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, \$962.31, properties, 2.

Block	Lot	Name	Amount	Qtr	Year
140.03	33	Castaldo, Dennis G & Carol D	\$126.88	3rd	2009
140	1	S.K.P. Land Inc	\$835.43	3rd	2009

6. Resolution approving request from James McDonald for the release of cash escrow for Road Opening Permit No. 2008-32, in the amount of \$500.00.

WHEREAS, a request has been received from James McDonald for release of cash escrow for Road Opening Permit No. 2008-32; and

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

WHEREAS, the Assistant Township Engineer recommends that the Township Committee take action to release the \$500.00 cash escrow that was posted for the completion of the project.

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

7. Resolution granting permanent employee status to Dale Melville, Deputy Treasurer effective October 29, 2009.

WHEREAS, Dale Melville was hired as Deputy Treasurer in the Finance Department on July 29, 2009; and

WHEREAS, the Chief Finance Officer/Tax Collector certifies that Mr. Melville has performed his duties and assignments in a capable and competent manner; and

WHEREAS, having qualified for regular employee status during the three-month probationary period, the Chief Finance Officer/Tax Collector recommends that regular employee status be conferred upon Mr. Melville, effective October 29, 2009.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the recommendations of the Chief Finance Officer/Tax Collector is hereby accepted and approved.

8. Resolution authorizing the closure of Blackpoint Road between Amwell Road and the Branchburg Township border to all thru traffic beginning on or about November 2, 2009 until approximately January 31, 2010 to allow for the installation of water lines along Blackpoint Road.

WHEREAS, because of the installation of water lines by New Jersey American Water Co. and Schilke Construction, the Police Department recommends the closure of Blackpoint Road between Amwell Road and the Branchburg Township border to thru traffic on or about November 2, 2009 until approximately January 31, 2010; and

WHEREAS, the Chief of Police declares an emergent or temporary condition that dictates the adoption of a special traffic regulation pursuant to N.J.S.A. 39:4-197.3 and finds it in the interest of public safety that Blackpoint Road should be closed to all thru traffic during the installation of the water lines, and a detour put into effect; and

WHEREAS, the Chief of Police advises the road should be closed to all thru traffic, a detour warranted, and the appropriate signs and barricades are to be set in place; and

WHEREAS, should the need arise for emergency work to be performed between the hours of 8 p.m. and 7 a.m. Monday thru Saturday or all day Sunday permission is hereby granted to New Jersey American Water and/or Schilke Construction, upon them contacting the Hillsborough Township Police Department at least 24 hours prior to the start of the emergency work; and

WHEREAS, residents of Blackpoint Road and emergency vehicles will be able to access the road.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey does hereby authorize the closure of Blackpoint Road to all thru traffic and that a detour be put into effect by New Jersey American Water Co. and/or Schilke Construction, beginning on or about November 2, 2009 until approximately January 31, 2010.

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

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

CLAIMS LIST

Mayor DelCore presented Claims List 2009-20

Upon motion by Committeeman Ferrera, seconded by Committeewoman McCauley, Claims List 2009-20 was unanimously approved upon call of the roll.

ADJOURNMENT

Upon motion by Committeeman Suraci, seconded by Committeeman Ferrera, the meeting duly adjourned at 9:26 p.m. Said motion was carried unanimously upon voice vote.

Attested:

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