

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 Communications Director/Deputy Clerk, Brianne Skobo.

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 November 24, 2009.

APPOINTMENTS/PROCLAMATIONS

- *Proclamation honoring William Mellott for earning the status of Eagle Scout*

WHEREAS, William Mellott, a member of Boy Scout Troop 89, has earned the status of Eagle Scout; and

WHEREAS, we, the Township Committee of the Township of Hillsborough, recognize the many hours William devoted to attaining the status of Eagle Scout, working with diligence and making sacrifices in order to achieve this highly coveted position; and

WHEREAS, William has served the Boy Scouts in an exemplary manner and is deserving of the honor bestowed upon him; and

WHEREAS, for William's Eagle Scout Leadership Project he planned, built and installed 20 bat boxes at Ann Van Middlesworth Park which can hold up to 50 bats per box; and

WHEREAS, William's project was designed to give bats a safe place to live and hopefully increase the healthy bat population; and

WHEREAS, one bat can consume up to 1,000 insects per hour which will control the local insect population and eventually decrease the amount of pesticides needed by residents and farmers in the area; and

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

NOW, THEREFORE, BE IT PROCLAIMED that we, the members of the Hillsborough Township Committee, do hereby recognize and extend our sincere congratulations to William Mellott for having achieved the status of Eagle Scout, an honor for both him and for those who have guided him, with best wishes for a bright future.

Mayor DelCore asked the concurrence of the Committee to move to Consideration #1 at this time.

Resolution re-appointing John Fiedler as Construction Official, in the Building Department, effective December 15, 2009.

WHEREAS, John Fiedler was appointed to a four-year term as Construction Official that began on December 15, 2005 and will end on December 14, 2009; and

WHEREAS, John Fiedler has shown great leadership and ability in his role as Construction Official and possesses all of the qualifications for the position of Construction Official; and

WHEREAS, the Township Administrator and Director of the Building Department has recommended the re-appointment of John Fielder as Construction Official for the Township of Hillsborough;

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 and Director of the Building Department is accepted and John Fiedler is hereby re-appointed to the position of Construction Official for the Township of Hillsborough, effective December 15, 2009.

Mayor DelCore said before John Fiedler and Ron Skobo came on board, Hillsborough's Building Department did not have a good reputation throughout the state of New Jersey. Today, we are very proud of the fact that Hillsborough's Building Department, in terms of professionalism, customer service, and performance, is one of the best in the state.

Mayor DelCore stated that John Fiedler deserves great credit in helping to achieve that transformation. John has done an exceptional job as the Township's Construction Official for the last four years. His work and that of his staff has been recognized and commended by the state office of Regulatory Affairs for exceptional performance.

Mayor DelCore said numerous citizens have contacted the Township Committee and Administrator to praise Mr. Fiedler's work as the Construction Official, both for his expertise and his cooperative method of working with residents and business owners.

Mayor DelCore said Mr. Fiedler has worked diligently over the past few years to identify areas where the Township could reduce building department fees and improve service for residents.

Mayor DelCore stated that he serves on the Regulatory Oversight Working Group and has been an instrumental part of that Group's effectiveness in moving the bureaucracy out of the way of business and helping to enact Hillsborough's 2009 Economic Action Plan.

Mayor DelCore said in working with the Director of the Building Department, Ron Skobo, John has made the Department more customer oriented, brought about Saturday inspections, and Tuesday and Thursday evening hours for the convenience of residents.

Mayor DelCore said Hillsborough has come a long way from the prior situation in the Construction Office because of Mr. Fiedler's aptitude, attitude, and dedication.

Mayor DelCore said he believes he speaks for the entire Township Committee in saying we are pleased to re-appoint John Fiedler as Construction Official and expect that he will keep up his good work for the people of Hillsborough.

Committeeman Ferrera thanked John Fiedler and Ron Skobo for putting the taxpayers and the business community first. Committeeman Ferrera also thanked them for reducing fees and for accommodating the residents of Hillsborough.

Committeeman Suraci congratulated Mr. Fiedler and thanked him for a job well done.

Committeewoman McCauley and Deputy Mayor Wagner also thanked Mr. Fiedler for all his hard work.

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

Mayor DelCore officially swore in John Fiedler.

Mayor DelCore said at this time we will move to approval of minutes.

APPROVAL OF MINUTES

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

Upon motion by Deputy Mayor Wagner, seconded by Committeeman Suraci, the minutes of the October 13, 2009 Regular Session were unanimously approved upon the call of the roll.

- *Approval of the November 10, 2009 Executive Session Minutes*

Upon motion by Committeeman Ferrera, seconded by Committeewoman McCauley, the minutes of the November 10, 2009 Executive Session were approved upon the call of the roll.

Yes – Ferrera, McCauley, Wagner, DelCore
Abstain – Suraci

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

Committeeman Ferrera

Committeeman Ferrera gave an update on the H1N1 Flu vaccinations. Committeeman Ferrera said to check the website daily to register at www.greatersomersetH1N1.org or call 908-533-9330. The Hillsborough Township website will be updated as well, log on to www.hillsborough-nj.org.

Committeewoman McCauley

- *Not at this time.*

Committeeman Suraci

Committeeman Suraci said that a few weeks ago residents received a letter regarding the revaluation ordered by the Somerset County Tax Board, and residents have contacted the Township Committee and municipal offices with concerns about the revaluation process.

Committeeman Suraci advised individuals with questions to watch the very informative video presentation about the revaluation process which is available on the Township's website, www.hillsborough-nj.org. In order to make the video more available to residents, it will again be run daily on TV-25, following the evening presentation of the Township Committee meeting.

Committeeman Suraci said you can also find out more about the revaluation process and the company performing the revaluation, Appraisal Systems, at their website www.asinj.com. If you have questions you can also obtain information by calling Appraisal Systems at 973-285-9940.

Committeeman Suraci said he was not at the last Township Committee meeting because of a business assignment he thanked the residents of Hillsborough for placing their faith in him, as well as Deputy Mayor Wagner, to serve the community once again.

Committeeman Suraci also thanked his family, the Hillsborough Republican Club, Hillsborough Township employees and the people on the Boards and Commissions for their support.

Deputy Mayor Wagner

Deputy Mayor Wagner said the Township recognized our veterans at a very successful first annual Veterans' Day ceremony on November 11th. The Deputy Mayor said he was proud to be a part of those ceremonies and thanked the members of the Veterans' Day Committee that worked with him to create the program.

Deputy Mayor Wagner also thanked all the veterans and their family members who joined us that evening and he is looking forward to continue this new tradition in the future.

Mayor DelCore

Mayor DelCore said there was a tremendous turnout at the Veteran's Day ceremony. Mayor DelCore said this was due to the members of the Veteran's committee and the leadership of Deputy Mayor Wagner.

Mayor DelCore thanked all who came out in support of our Veteran's. The Mayor said also that evening the Township Committee was given a certificate of appreciation from Chapter 27 of the Military Order of the Purple Heart.

Mayor DelCore said last week Hillsborough was identified as one of only thirty-four municipalities in the state that had achieved the first level of certification to be certified as a

sustainable community. We were given an award that identifies Hillsborough as a Sustainable Jersey Certified Community in 2009.

Mayor DelCore said a lot of hard work has been done by the Sustainable Hillsborough Steering Committee.

Mayor DelCore thanked Committeewoman McCauley, liason to the committee, and also thanked Rebecca Marshal, Assistant Planner for their efforts.

Mayor DelCore wished everyone a very Happy Thanksgiving.

NEW BUSINESS

- *None at this time.*

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

- *None at this time.*

PUBLIC HEARINGS

- *None at this time*

INTRODUCTION OF NEW ORDINANCES

Ordinance 2009–41 Ordinance amending Chapter 188 (Development Regulations), Article V (Districts and Standards) of the Code of the Township of Hillsborough, County of Somerset, State of New Jersey, to amend the building height requirement in the LI, Light Industrial District. *Further consideration of this ordinance and public hearing will be held on December 22, 2009.*

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 107.1 E(3)(b)(3) to read as follows:

(b) Maximums

(3) Building Height: three (3) stories or **sixty (60)** feet

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 at the last meeting, when he congratulated Governor-elect Chris Christie for his very familiar idea to establish a Red Tape Review Group at the state level which would review state mandates, he noted that Hillsborough's Regulatory Oversight Working Group formed last January was continuing its effort to find ways to move the bureaucracy out of the way of business.

The Mayor said tonight, we have two more suggested changes from our Working Group, which brings the total now to 17 regulation changes as part of the economic action plan designed to help spur economic activity in Hillsborough.

Mayor DelCore stated that this ordinance recommended by the Working Group, sets height restrictions in the Light Industrial zone at 60 feet. The change in height restriction brings the requirement into conformance with other industrial zones and is the same restriction that was in place in the General Industrial zone prior to its re-designation as a Light Industrial zone. This ensures that all buildings in all industrial zones are treated equally. The Light Industrial zone is a 360 acre area bordered by the CSX rail line to the east, Route 206 to the west, Raider Boulevard to the north, and almost to the Montgomery border to the south.

Mayor DelCore said Bob Ringelheim, the Township Planner, is with us tonight to further explain this change.

Mr. Ringelheim said after the Township Committee adopted the ordinance to create the LI district with a building height limited to 40 feet it was pointed out that there were actually several existing buildings that exceeded that height. In recognition of that, and the fact that it used to be 60 feet in the GI district, which the LI district replaced, the recommendation is to change the height back to 60 feet.

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 December 22, 2009 at 7:30 p.m. Said motion was seconded by Committeeman Ferrera and unanimously approved upon call of the roll.

Ordinance 2009-42 Ordinance amending Chapter 188 (Development Regulations), Article V (Districts and Standards) of the code of the Township of Hillsborough, County of Somerset, State of New Jersey, to amend the permitted and conditional uses in the I-1, I-2, I-3 and GI Districts in order to allow indoor recreation facilities, medical offices and veterinary hospitals, retail sales of goods and services in conjunction with on-site manufacturer and fiduciary institutions as principal permitted uses while deleting all uses directly associated with the ED District and to allow retain sales of goods and services in conjunction with on-site manufacturer and fiduciary institutions as permitted uses in the LI District. *Further consideration of this ordinance and public hearing will be held on December 22, 2009.*

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 106 B to include the following principal permitted uses:

- (9) Indoor recreation facilities.
- (10) Medical offices and veterinary hospitals.
- (11) Retail sales of goods and services limited to products manufactured by that company, such as a service center for office computers or copying machines, or the retail sale of secondhand, damaged or rejected products produced by the company, such as an outlet store, and which shall not exceed five percent (5%) of the gross floor area.
- (12) Fiduciary institutions.

Section 2. Amend Chapter 188 of the Code of the Township of Hillsborough by deleting Section 106 D(3).

Section 3. Amend Chapter 188 of the Code of the Township of Hillsborough by deleting Section 107 B(8).

Section 4. Amend Chapter 188 of the Code of the Township of Hillsborough by revising Section 107 B to include the following principal permitted uses:

- (10) Indoor recreation facilities.
- (11) Medical offices and veterinary hospitals.
- (12) Retail sales of goods and services limited to products manufactured by that company, such as a service center for office computers or copying machines, or the retail sale of secondhand, damaged or rejected products produced by the company, such as an outlet store, and which shall not exceed five percent (5%) of the gross floor area.
- (13) Fiduciary institutions.

Section 5. Amend Chapter 88 of the Code of the Township of Hillsborough by revising Section 107.1 B to include the following principal permitted uses:

- (19) Retail sales of goods and services limited to products manufactured by that company, such as a service center for office computers or copying machines, or the retail sale of secondhand, damaged or rejected products produced by the company, such as an outlet store, and which shall not exceed five percent (5%) of the gross floor area.

(20) Fiduciary institutions.

Section 6. 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 7. Effective Date. This ordinance shall take effect immediately upon passage and publication according to law.

Mayor DelCore said ordinance 42 is also recommended by the Working Group under the economic action plan and is designed to create greater opportunity for business development in the various industrial zones.

The Mayor explained that the change will allow industrial zone buildings to permit indoor recreation, medical offices, veterinary hospitals, retail sales made on site, and financial institutions, without having to go through the time and expense of seeking zoning board of adjustment hearing. This change should allow for a greater range of potential tenants for various buildings and encourage economic development in our community. Mayor DelCore said again, impacts industrial and commercial areas, not residential neighborhoods.

Mayor DelCore said Mr. Ringelheim again has further explanatory information.

Mr. Ringelheim said the existing I1, I2, I3 and GI Districts permit ED District uses only as conditional uses which makes them subject to a 50 acre minimum lot size. Mr. Ringelheim said in those zones he does not believe that there was more than one lot that would have complied with that, which makes this regulation difficult for anyone to take advantage of.

Mr. Ringelheim said the recommendation of the Working Group is to delete the reference to the ED District conditional uses and to permit a list of the ED uses as permitted uses that the Regulatory Working Group went through and consider as reasonable in these districts. This includes the indoor recreation facilities, medical offices, veterinary hospitals, the retail sales of goods and services for products that are made onsite and fiduciary institutions.

Mr. Ringelheim said in reviewing the uses in the LI Districts we are also adding fiduciary institutions and retail sales of goods and services for products that are made onsite to that district as well. Mr. Ringelheim said this way all the industrial districts will have similar types of uses permitted to make it all conforming.

Committeewoman McCauley said she attended the Working Group meetings where both of these ordinances were discussed and said there is very sound economic thinking here, particularly with ordinance 42. The change creates greater opportunity and flexibility for uses of buildings in industrial zones.

Committeewoman McCauley said the owners of buildings will have expanded opportunities to attract a variety of businesses as a tenant – that is good for the owner, good for tax revenue, good for creating jobs and good for other surrounding businesses that will benefit from people working at a particular site. Previously, the building owner would have had to go through the time consuming and expensive process of appearing at the Board of Adjustment seeking a variance. Many would choose not to do so, and the business would go elsewhere. Some would go through the Zoning Board process only to be turned down.

The Committeewoman said the daunting nature of the process itself would serve as a chilling effect on economic growth, even though the industrial zones are the area where that growth is wanted and needed. Now the Board of Adjustment process will not be necessary.

There is still a requirement to seek Planning Board approval for any site plan changes. But in some cases, under a previously enacted Economic Action ordinance change, 2009-24, the building owner may only need to receive a certification from the Zoning Office. Saving even the trip to the Planning Board and further moving the bureaucracy out of the way.

Committeewoman McCauley stated that this change should also serve to encourage building development in some of the industrial zones, bringing with it additional economic activity. It all comes down to this, either a municipality can make it extremely difficult for a business to locate in the community and send a message that business is not wanted, or a municipality can find ways to adjust the regulations, while maintaining the integrity of the municipal land use law, and encourage economic and job growth. Committeewoman McCauley said we have chosen the latter course.

Committeewoman McCauley again commended the members of the Working Group, Mr. Ringelheim, Ron Skobo, John Fiedler, Tom Belanger and of course Gene Strupinsky. They have done a great job for Hillsborough this year. Committeewoman McCauley said more has been done to boost business and add to economic opportunity than any of us thought possible back in January.

Committeewoman McCauley stated that these are the last ordinances to be proposed in the economic action plan for 2009, she said they are not the final regulatory changes, as the Working Group is dedicated to continuing their efforts into the new year.

Committeewoman McCauley moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on December 22, 2009 at 7:30 p.m. Said motion was seconded by Committeeman Suraci and unanimously approved upon call of the roll.

Ordinance 2009-43 Ordinance repealing Section 188-173 of the Code of the Township of Hillsborough, titled "Architectural and Site Design Advisory Subcommittee." Further consideration of this ordinance and public hearing will be held on December 22, 2009.

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

Section 1. Section 188-173 of the Code of the Township of Hillsborough titled "Architectural and Site Design Advisory Subcommittee" is hereby repealed.

Section 2. Severability.

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

Section 3. Effective Date.

This Ordinance shall take effect as provided by law.

Mayor DelCore said another way to move the bureaucracy out of the way and streamline regulatory decision making for businesses, is to reduce the number of advisory subcommittees before whom a business must appear when seeking an approval.

Mayor DelCore stated that additionally, the Township Committee is beginning a process of review of various Committees, looking for ways to consolidate and to bring greater efficiency. While these committees are composed of appreciated citizen volunteers, there are always some costs associated with the staffing and/or preparation for these Committees. Reduction and consolidation should result in some cost savings. This ordinance eliminates the Architectural Site Design Advisory subcommittee.

Mayor DelCore said that presently, some applicants must go to the time and expense of appearing before this group prior to a Planning Board appearance, adding more bureaucracy and expense to a business attempting to become operational in Hillsborough.

Mayor DelCore said while initially it may have seemed appropriate, this subcommittee now, given the economic circumstances, seems an additional counter-productive step, as the Planning Board can provide the site design oversight and even have a sub-committee if it is absolutely necessary.

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 December 22, 2009 at 7:30 p.m. Said motion was seconded by Committeewoman McCauley and unanimously approved upon call of the roll.

Ordinance 2009-44 **Ordinance to amend an Ordinance entitled "Salary Range Ordinance" setting forth the salary ranges for the classifications set forth in said Ordinance. Further consideration of this ordinance and public hearing will be held on December 22, 2009.**

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

Section 1: That the Salary range ordinance, shall be amended as follows:

<u>GRADE</u>	<u>CLASSIFICATION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
	Administrators Office		
	Committeepersons	3,500	4,000
6	Township Administrator	75,000	128,000
	Computer Support Manager/Technician	41,000	89,000
	Part-Time Assistant/Information Technology	11.00/Hr.	28.00/Hr.
	Assistant to the Administrator	35,000	61,000
13	Secretary to Administrator	31,000	61,000
	Secretary/ Clerk Class I	29,000	58,000
	Business Advocate	15,000	66,500

Building Department

8	Director Building Department	47,000	105,500
8	Construction Official	47,000	105,500
10	Building Sub Code Official	46,544	96,500
11	Fire Sub Code Official	43,137	90,000
11	Assistant Sub Code Official	43,137	90,000
11	Plumbing Sub Code Official	43,137	90,000
11	Electric Sub Code Official	43,137	90,000
12	Building Inspector	40,224	84,000
12	Plumbing Inspector	40,224	84,000
II	Control Person	30,910	60,000
II	Assistant Control Person	30,910	60,000
	Part time Inspectors-Building Department	25.00/Hr.	39.00/Hr.
	Part time Assistants-Building Department	12.00/Hr.	22.00/Hr.

Fire Safety Bureau

	Fire Official	43,137	90,000
12	Fire Inspector	40,224	84,000
II	Secretary to the Fire Official	30,910	60,000

Municipal Court

10	Court Administrator	46,544	96,500
I	Deputy Court Administrator	32,759	63,000
I	Deputy Court Administrator/Violations Clerk	32,759	63,000
II	Clerk in Court	30,910	60,000
	Municipal Judge	18,000	61,000
	Public Defender	1,000	16,650

Township Clerk

9	Township Clerk	20,000	90,000
12	Deputy Clerk	40,224	65,000
13	Asst. to Municipal Clerk	31,000	61,000
II	Receptionist	30,910	60,000
	Part-Time Receptionist	14.85/Hr.	26.00/Hr.

Engineering Department

7	Township Engineer	10,000	122,000
10	Assistant Engineer/Survey	46,544	96,500
10	Assistant Engineer	46,544	96,500
11	Assistant to Township Engineer	43,137	90,000
11	Sr. Engineering Aide/Inspector	43,137	90,000
12	Engineering Aide	40,224	84,000
II	Secretary	30,910	60,000
II	Clerk	30,910	60,000

Health Department

	Health Officer	70,000	122,000
	Deputy Health Officer	45,000	89,000
12	Registered Environmental Health Specialist	40,224	84,000
I	Social Services/Environmental Health Aid	32,759	63,000
	Health Educator	32,759	63,000
II	Secretary	30,910	60,000
	Millstone Health Liaison	2,000	6,000
	Recycling Coordinator	2,000	6,000
	Assistant Recycling Coordinator	1,000	5,000
	Registrar	1,000	4,000

Police Department

	Police Chief	110,000	164,500
	Police Captain	100,000	153,000
	Police Lieutenant	95,000	147,500
	Police Sergeant	91,000	108,495
	Police Corporal	83,000	98,632
	Police Officer	37,797	93,935
13	Police Chief Secretary	31,000	61,000
II	Civilian Police Specialist	30,910	60,000
II	Secretary	30,910	60,000
II	Clerk	30,910	60,000
	Dispatcher	39,700	55,000
	Municipal Prosecutor	10,000	55,500
	Special Officers	12.00/Hr.	28.00/Hr.
	Crossing Guards	10.00/Hr.	22.00/Hr.

Public Works Department

8	Director Public Works	47,000	105,500
9	Deputy Director of Public Works	45,000	105,500
10	Supervisor of Public Works	46,544	96,500
11	Assistant Supervisor	43,137	90,000
	Equipment Operator/Mechanic	42,000	66,500
	Public Works Worker 1-4	30,000	56,000
II	Secretary	30,910	60,000
	Safety Director	2,000	6,000
	Clean Communities Coordinator	2,000	6,000

Tax Assessor Department

9	Tax Assessor	45,000	105,500
	Deputy Assessor	41,000	89,000
	Deputy Assessor-Commercial-Part-time	15,000	27,750
12	Assessment Clerk/Field Rep	40,224	83,750
12	Field Inspector	40,224	83,750
I	Clerk to Tax Assessor	32,759	63,000
II	Assistant Tax Assessor	30,910	60,000
II	Secretary	30,910	60,000

Tax Collection/Treasurer Department

7	CFO/Treasurer/Tax Collector	10,000	122,000
	Tax Collector	10,000	97,500
	Treasurer/CFO	10,000	97,500
	Director of Finance	10,000	97,500
10	Deputy Collector/Treasurer	46,544	96,500
10	Deputy Finance Officer	46,544	96,500
10	Deputy Tax Collector	46,544	96,500
I	Clerk to Tax/Finance	32,759	63,000
I	Bookkeeper	32,759	63,000

Planning Department

9	Township Planner	45,000	105,500
11	Assistant Planner/Zoning Officer	43,137	90,000
12	Zoning Officer	40,224	83,750
II	Secretary	30,910	60,000
II	Clerk	30,910	60,000

Recreation Commission

	Director, Parks and Recreation	55,000	105,500
9	Recreation Director	45,000	90,000
	Assistant Supervisor – Parks Maintenance	38,000	77,750
I	Assistant Recreation Director	32,759	63,000
II	Recreation Assistant	30,910	60,000
II	Secretary	30,910	60,000

Part-Time Seasonal Employees:

	Program Supervisor/Per Session	50.00/Session	300.00/Session
	Program Supervisor/Hourly	14.50/Hr.	25.00/Hr.
	Instructors	10.00/Hr.	30.00/Hr.
	Assistant Program Supervisor	10.00/Hr.	20.00/Hr.
	Counselors	6.50/Hr.	13.50/Hr.
	Umpires/Referees	25.00/Game	55.00/Game
	Scorekeepers	6.50/Hr.	13.50/Hr.

Social Services

10	Social Services Director	46,544	96,500
II	Senior Transportation Bus Driver	30,910	60,000
II	Secretary	30,910	60,000
	Senior Dance Instructor	25.00/Hr.	35.00/Hr.
	Senior Wellness Instructor	25.00/Hr.	35.00/Hr.
	Bus Driver	12.00/Hr.	22.00/Hr.
	Mr. Fix-It	12.00/Hr.	22.00/Hr.

Part Time Support (Administrative)

	Part time Assistants	12.00/Hr.	22.00/Hr.
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Section 2: This ordinance shall take effect upon its adoption, passage and publication according to law.

Mayor DelCore said this ordinance establishes the salary ranges necessary to accommodate salaries established over the next few years by public employee contracts and for non-union employee positions. The ordinance does not provide actual salaries or any salary increases for individuals or positions, it only sets the ranges for positions.

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 December 22, 2009 at 7:30 p.m. Said motion was seconded by Deputy Mayor Wagner and unanimously approved upon call of the roll.

Ordinance 2009–45 Ordinance amending Section 200-2 of the Code of the Township of Hillsborough titled "Prohibitions" by adding a new subsection, Section 200-2(C), and repeals Section 221-6 of the Code of the Township of Hillsborough, titled "Drugs or Narcotics; Alcoholic Beverages" and replaces it with a new Section 221-6 titled "Drugs or Narcotics; Alcoholic Beverages." *Further consideration of this ordinance and public hearing will be held on December 22, 2009.*

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

Section 1. Section 200-2 of the Code of the Township of Hillsborough titled "Prohibitions" is hereby amended by adding a new Section 200-2(C) as follows:

- C. A person who is intoxicated may be assisted to their residence or to an intoxication treatment or other facility by a Township Police Officer consistent with the requirements contained in N.J.S.A. 26:2B-16, a portion of the New Jersey Alcoholism Treatment and Rehabilitation Act, and shall not be charged with a violation of the Code of the Township of Hillsborough.

Section 2. Section 221-6 of the Code of the Township of Hillsborough titled "Drugs or Narcotics; Alcoholic Beverages" is hereby repealed and replaced with a new Section 221-6 titled "Drugs or Narcotics; Alcoholic Beverages" as follows:

§221-6 Drugs or narcotics; alcoholic beverages.

- A. At no time will drugs or narcotics or alcoholic beverages be allowed in the parks.
- B. Any person violating Section 221-6A shall upon conviction thereof be penalized as provided in Section 1-15 of the Code of the Township of Hillsborough.
- C. No person shall be under the influence of drugs or narcotics or alcoholic beverages in the parks.
- D. A person found to be guilty of being under the influence of drugs or narcotics in the parks shall be penalized as provided in Section 1-15 of the Code of the Township of Hillsborough.
- E. A person who is intoxicated in a park may be assisted to their residence or to an intoxication treatment or other facility by a Township Police Officer consistent with the requirements contained in N.J.S.A. 26:2B-16, a portion of the New Jersey Alcoholism Treatment and Rehabilitation Act, and shall not be charged with a violation of the Code of the Township of Hillsborough.

Section 3. Severability.

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

Section 4. Effective Date.

This Ordinance shall take effect as provided by law.

Mayor DelCore said this ordinance brings the Township's code into compliance with state law regarding persons who are intoxicated in public. The New Jersey Alcoholism Treatment and Rehabilitation Act requires that persons who are determined to be intoxicated in public should be assisted by the Police Department to their residence or to a treatment center. The ordinance further re-enforces that drugs and alcoholic beverages are prohibited in Township parks and that persons under the influence are not permitted in public parks.

This change is recommended by the Township insurance liability fund and has been approved by the Police Department.

Committeewoman McCauley moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on December 22, 2009 at 7:30 p.m. Said motion was seconded by Committeeman Ferrera and unanimously approved upon call of the roll.

Ordinance 2009-46 Ordinance appropriating certain monies held by the Township of Hillsborough, County of Somerset, State of New Jersey, for the purchase of various public safety Capital Improvements in the amount of \$72,500.00 in and for the Township of Hillsborough. Further consideration of this ordinance and public hearing will be held on December 22, 2009.

WHEREAS, there are funds available in the Hillsborough Township Capital Improvement Fund in the amount of \$72,500.00 and

WHEREAS, the Hillsborough Township Committee has determined there is a public safety need to appropriate the aforesaid Capital funds, recommended as priorities by the Capital Planning Committee, for the following purposes and amounts:

1.	Five (5) Mobile Vision Cameras	55,000.00
2.	Three (3) Defibrillators for EMS Vehicles	7,500.00
3.	Safety Equipment for Rescue Vehicle	10,000.00
		<hr/>
		72,500.00
		<hr/>

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the aforementioned sums are hereby appropriated.

This ordinance shall take effect upon final adoption and publication according to law.

Mayor DelCore said the Police Chief and the Chief of the Hillsborough Rescue Squad have advised that certain equipment is needed for continued effective operations in the Police Department and the Rescue Squad, respectively. The Police Department must replace the mobile video recorders or MVR's in police vehicles due to the fact that most of the units have reached their expected service life, are no longer covered under warranty, and are ineligible for extended coverage because of age.

Mayor DelCore explained like all Hillsborough Departments, the Police Department attempts to stretch the life of all equipment in order to save tax dollars, but we are advised that the MVR's have reached their end point. The MVR's provide audio and visual recording of police contacts from the police vehicle.

Mayor DelCore said we are advised by the Chief that the MVR's are an effective tool in investigations and prosecutions of criminal offenses and traffic violations, and have become extremely valuable in recent years in capturing critical evidence. They also assist with any citizen complaints of Police actions and internal affairs investigations.

Mayor DelCore said the \$55,000 in capital funding allocated by this ordinance provides for the purchase of five of the needed 18 units. This will be an on-going process. The MVR units were rated a high priority by the Capital Planning Committee earlier this year.

Mayor DelCore stated that another high priority rating designated by the Capital Planning Committee was additional life saving defibrillators for EMS vehicles for the Rescue Squad. The \$7500 allocation in capital funding will provide funding for three new defibrillators to replace three that have been taken out of service because of age.

Mayor DelCore said a \$10,000 allocation in capital funding is made to provide for the purchase of five scott air tanks for inclusion with the Rescue Vehicle. The air tanks are used to protect responding emergency personnel in life threatening situations where smoke inhalation may interfere with response.

Mayor DelCore explained that these types of equipment allocations are a necessary part of municipal public safety and emergency response functions and are critical for our public safety and volunteer EMS personnel to effectively do their jobs in protecting residents.

Committeeman Ferrera thanked the people presenting as well as the people on the committee.

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 December 22, 2009 at 7:30 p.m. Said motion was seconded by Committeeman Ferrera and unanimously approved upon call of the roll.

Ordinance 2009-47 **Ordinance authorizing the Township of Hillsborough to accept a Sanitary Sewer Easement from the Glen-Gery Corporation. Further consideration of this ordinance and public hearing will be held on December 22, 2009.**

WHEREAS, the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, wishes to accept a Sanitary Sewer Easement conveyed to the Township by the Glen-Gery Corporation for a portion of Lot 9 in Block 182 as shown on the Tax Map of the Township of Hillsborough; and

WHEREAS, the purpose of this conveyance is for the construction of a force sanitary sewer main servicing the Claremont Area of the Township; and

WHEREAS, because the Claremont Area Sanitary Sewer Extension serves the public health, safety and welfare, the Glen-Gery Corporation agreed to donate the Sanitary Sewer Easement at no cost to the Township; and

WHEREAS, the Township Attorney for the Township of Hillsborough reviewed the Sanitary Sewer Easement in the form attached and finds it acceptable in all respects.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it hereby authorizes acceptance of the Sanitary Sewer Easement attached hereto and directs its appropriate officials to execute and file such documents as may be necessary.

This Ordinance shall take effect upon adoption and publication according to law.

Mayor DelCore said the Glen Gery Corporation has donated an easement area on their property for access by the Claremont sewer line. The Claremont line is projected to traverse Hamilton Road and cross the Glen Gery property in order to connect to the MUA's main sewer line. The easement is .123 of an acre.

Mayor DelCore said the Township appreciates Glen Gery's cooperation in providing the easement at no cost because it creates a cost savings for the Claremont residents who will be paying for the sewer project through a special assessment and also comes at no cost to the taxpayers.

Deputy Mayor Wagner moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on December 22, 2009 at 7:30 p.m. Said motion was seconded by Committeewoman McCauley and unanimously approved upon call of the roll.

CONSIDERATIONS

Mayor DelCore offered the following resolution:

1. Resolution re-appointing John Fiedler as Construction Official, in the Building Department, effective December 15, 2009.

(considered earlier in the meeting)

2. Resolution authorizing the Mayor and the Township Administrator/Clerk to execute an agreement to continue Hillsborough's membership in the Central Jersey Joint Insurance Fund (CJJIF), for three (3) years, effective December 1, 2009.

WHEREAS, the Township of Hillsborough has been a member of the Central Jersey Joint Insurance Fund (CJJIF) since 2000 and the latest three (3) year membership term will expire on December 1, 2009; and

WHEREAS, the Township's membership with the CJJIF has been positive throughout the six years and the Township's Risk Management Consultant Connor Strong recommends the Township Committee elect to continue its membership with the CJJIF for an additional three (3) year term; and

WHEREAS, the Township Administrator and Finance Director have analyzed the cost and coverage of other Joint Insurance Funds and recommend CJJIF as most effective for the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough that the Township Committee does hereby authorize the Mayor and the Township Administrator/Clerk to execute the agreement to continue participation in the CJJIF.

Mayor DelCore said the Administrator, Chief Finance Officer, and Insurance Consultant have reviewed the available options for providing workers compensation, property and liability insurance for the Township, and have determined that continuing with the Central Jersey Joint Insurance Fund is the most advantageous course for the Township.

Mr. Davis recognized Nancy Haberle, Chief Finance Officer and Mike Smith from Connor Strong, our insurance consultant, for their diligence. Mr. Davis said that remaining with Central Jersey is the right way to go. Mr. Davis stated that joint insurance funds are the most successful shared service in the state of NJ and they have been around for over 20 years.

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

3. Resolution authorizing an amendment to the Non Fair and Open Professional Services contract with Applied Water Management, Inc. to provide for the establishment of thirteen (13) perimeter gas monitoring sampling wells, at the Sunnymeade Landfill (Block 182, Lot 7.B), pursuant to their proposal dated October 15, 2009, in a total amount of \$1,740.00 to install four (4) additional ports.

WHEREAS, there exists a need for continued engineering services at the Sunnymeade Landfill (Block 182, Lot 7.B), specifically an increase in the amount of gas monitoring sampling ports at the site, because the New Jersey Department of Environmental Protection is requiring the Township to revise the Landfill Closure Plan and update the Financial Plan in connection with the project; and

WHEREAS, Applied Water Management, Inc. was awarded a contract, by way of resolution, dated June 12, 2007, to conduct an initial landfill perimeter gas survey, which included the installation of nine (9) gas sampling ports around the perimeter of the site; and

WHEREAS, the NJDEP now requires a total of thirteen (13) gas sampling ports on the site, which is an additional four (4) ports;

WHEREAS, the Assistant Township Engineer has obtained two (2) quotes as follows:

Applied Water Management, Inc.

Initial Landfill Perimeter Gas Survey Only (including only 9 ports)	\$4,250.00
Installation of 4 additional ports to meet new NJDEP requirements	<u>\$1,740.00</u>
Total	\$5,990.00

CME Associates

Initial Landfill Perimeter Gas Survey Only (including all 13 ports)	<u>\$18,150.00</u>
Total	\$18,150.00

WHEREAS, the quotes obtained are below the bid threshold of \$29,000.00, and do not require bidding under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, because Applied Water Management, Inc. has been the Township's consultant for the Sunnymeade Landfill Project since its inception and was already awarded the contract to install the nine (9) gas sampling ports on the site, it is in the Township's best interest to continue with Applied Water Management, Inc.; and

WHEREAS, the Township Committee has decided to amend Applied Water Management, Inc.'s original contract, awarded June 12, 2007, in an amount not to exceed a total of \$8,050, \$4,250 of which was for the Initial Landfill Perimeter Gas Survey with installation of 9 ports, through the "Non Fair and Open" process, to include installation of an additional four (4) gas sampling ports around the Sunnymeade Landfill, in an amount not to exceed \$1,740.00, making the total contract amount not to exceed \$9,790.00, pursuant to Applied Water Management, Inc.'s proposals, dated October 15, 2009 and May 8, 2007; 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, Applied Water Management, Inc. has submitted the required Political Contribution Disclosure form; and

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

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 an amended agreement to Applied Water Management, Inc. for the installation of four (4) additional gas sampling ports at the Sunnymeade Landfill, in an amount not to exceed \$1,740.00 in addition to their original contract in amount of \$8,050.00, \$4,250.00 of which was for the Initial Landfill Perimeter Gas Survey including installation of 9 ports, for a total amount not to exceed \$9,790.00.

Mayor DelCore said the NJ DEP requires that the Township provide for methane gas monitoring at the Sunnymeade Landfill. The first step in that process is the establishment of gas monitoring sampling wells. When the sampling is complete, a determination will be made of how many permanent gas monitoring stations will be needed. Applied Water has been providing environmental engineering services at the landfill for several years and provided the best price for the 13 monitoring wells.

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

4. Resolution authorizing Special Item of Revenue and Appropriation, pursuant to N.J.S. 40A:87 (Chapter 159, P.L. 1948).

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount,

WHEREAS, the Township will receive \$23,442.76 in additional grants from various sources for the year 2009 and wishes to amend its 2009 Budget to include these grants.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hillsborough hereby requests the Director of the Division of Local Government Services to approve the insertion of these items of revenue in the budget of the year 2009 in the amounts listed and detailed below, which items is now available as a revenues from:

**NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY
OVER THE LIMIT/UNDER ARREST
\$4,868.24**

**COPS IN SHOPS
\$929.71**

**ALCOHOL EDUCATION REHABILITATION
\$4,176.86**

**NJ HEALTH OFFICERS ASSOCIATION
HEALTH COMMUNICATIONS GRANT
\$2,390.95**

**COUNTY OF SOMERSET
JUSTICE ASSISTANCE GRANT (JAG)
\$11,077.00**

BE IT FURTHER RESOLVED that a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

Mayor DelCore said whenever checks are received for grants, the Township must act to bring those funds into the budget and also appropriate for their expenditure. This resolution accepts and appropriates approximately \$23,000 in grants received recently.

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

CONSENTS

Mayor DelCore offered the following consent agenda:

1. Resolution approving the request from 3M for the release of performance bond, cash bond and inspection fees in the amount of \$334,661.00.

WHEREAS, a request has been received from 3M for the release of the performance bond, cash bond and inspection fees retained for improvements needed to be done as instructed by NJDEP; 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 \$334,661.00 for the performance bond, cash bond and inspection fees, plus any accrued interest; and

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 authorizing the transfer of earned amounts, in an amount of \$8,504, from the subdivision and site plan Engineering Trust Accounts to the Treasurer's account.

WHEREAS, in accordance with the following summary of accrued Engineering charges related to various indicated projects, a total of \$8,504.00 should be transferred from the Subdivision and Site Plan Engineering Trust Accounts into the Treasurer's Account as indicated; and

WHEREAS, each of the project line items has been verified against the Treasurer's Office account records through November 9, 2009, to ensure that sufficient funds are available for these transfers of unanticipated revenues.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that a total of \$8,504.00 is to be transferred from the Engineering Escrow Accounts into the Treasurers Account.

<u>Client</u>	<u>Number</u>	<u>Transfer Amount</u>
Arguetta	545	-38.52
Community Options Enterprises	540	-338.13
Country Classics 3B	326	-82.96
Country Classics 3C	331	-862.04
East Hill Partnership	349	- 100.74
Foothill Acres	536	-167.32
Hidden Forest Estates	372	-80.00
Hillsborough Chase	376	-133.16
Hillsborough Chase II	488	-748.07
Kiddie Academy	542	-399.48
Pleabeazin	477	-1,296.40
Pleasant View Estates III	490	-490.94
Rd opening #2008-25	552	-231.12
Roycebrook Meadows	489	-80.00
Stellar Academy	532	-939.24
Walgreen's Pharmacy	522	-642.94
Westmeade Development	450	-1,887.36
Wiseman (Hills. Realty)	495	-66.58
Grand Total		-8,504.00

3. Resolution authorizing the Township of Hillsborough to take responsibility for street lights located on Raider Boulevard and Auten Road for Huntington Park Condominium Association.

WHEREAS, Huntington Park Condominium Association has requested that the Township of Hillsborough accept the street lights on Raider Boulevard and Auten Road; and

WHEREAS, in accordance with P.I.1991c.256, the street lights on Raider Boulevard and Auten Road should be accepted by the Township of Hillsborough since these lights are within the Township's right-of-way; and

WHEREAS, the Assistant Township Engineer recommends the Township Committee accept the street lights.

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.

4. Resolution authorizing tuition reimbursement for Christine Crivello, Building Inspector, for fulfilling the basic requirements course for Technical Assistant taken at Middlesex County College in the amount of \$337.50.

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 Chapter 89, Section 18 of the Code of the Township of Hillsborough; and

WHEREAS, Building Inspector Christine Crivello has successfully completed the "Technical Assistant" course at Middlesex County College; and

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

WHEREAS, John Fiedler, Construction Official and Jack Daniels, Union President have requested favorable consideration of Christine Crivello's request for financial reimbursement of seventy-five percent (75%) of the \$450.00 cost incurred for a total of \$337.50.

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 Construction Official and Union President are hereby accepted and approved.

5. Resolution establishing the 2010 Holiday Schedule.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Holiday Schedule for January, 2010 through December, 2010 (pursuant to collective bargaining agreements and Ordinance 89-9), is as follows:

New Year's Day	Friday	January 1, 2010
M.L. King's Birthday	Monday	January 18, 2010
Lincoln's Birthday, (<u>DPW</u> <u>Only, Municipal Offices</u> <u>Open</u>)	Friday	February 12, 2010
Presidents' Day	Monday	February 15, 2010
Good Friday	Friday	April 2, 2010
Memorial Day	Monday	May 31, 2010
Independence Day	Monday	July 5, 2010
Labor Day	Monday	September 6, 2010
Columbus Day	Monday	October 11, 2010
Veterans' Day	Thursday	November 11, 2010
Thanksgiving	Thursday	November 25, 2010
Thanksgiving Friday	Friday	November 26, 2010
Christmas Eve Thursday, (in lieu of Christmas Eve)	Thursday	December 23, 2010
Christmas Friday, (in lieu of Christmas Day)	Friday	December 24, 2010
New Year's Friday, (in lieu of New Year's Day)	Friday	December 31, 2010

6. Resolution authorizing refund of tax overpayment in the amount of \$13,535.44.

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

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

NOW, THEREFORE BE IT RESOLVED, that the Township Committee, of the Township of Hillsborough, County of Somerset, State of New Jersey, the Tax Collector is hereby authorized to refund said amount to the property owner. Total, \$13,535.44, properties, 4.

Block	Lot	Name	Amount	Qtr	Year
156	12	BAC Tax Services	238.19	4 th	2009
163.05	36011	BAC Tax Services	1013.22	4 th	2009
	Condo				
204	1.031	First American	9467.41	4 th	2009
205.02	30	BAC Tax Services	2,816.62	4 th	2009

7. Resolution approving the request from Patricia Sporman for the release of development review escrow, in the amount of \$1,416.82.

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

WHEREAS, the Hillsborough Township Planner certifies that all work has been satisfactorily completed; and

WHEREAS, the Hillsborough Township Planner recommends that the Township Committee take action to release the \$1,416.82 Development Review Escrow.

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.

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

CLAIMS LIST

Mayor DelCore presented Claims List 2009-22

Upon motion by Committeewoman McCauley, seconded by Committeeman Ferrera, Claims List 2009-22 was unanimously approved upon call of the roll.

EXECUTIVE SESSION **EXECUTIVE SESSION RESOLUTION**

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

WHEREAS, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12 (b) (1-9), Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee is of the opinion that such circumstances exist.

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
 - a. *Property Acquisition:*
 - a. *Block 201, Lot 7(Willow Road)*
 - b. *Block 175, Lot 26(Amwell Road Bypass)*
 - b. *Litigation: Hillsborough Properties v Hillsborough Township*
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 8:22 p.m.

Committeeman Ferrera motioned to come out of executive session at 9:16p.m.; said motion was seconded by Committeeman Suraci and was unanimously adopted by voice vote.

ADJOURNMENT

Upon motion by Committeewoman McCauley, seconded by Committeeman Ferrera, the meeting duly adjourned at 9:17 p.m. Said motion was carried unanimously upon voice vote.

Attested:

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