

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 Carl Suraci, Committeeman Bob Wagner, Deputy Mayor Frank DelCore and Mayor Anthony Ferrera. Also in attendance were Township Attorney Albert Cruz, Township Administrator/Clerk Kevin P. Davis and Administrative Assistant Dianne Borngesser.

Following the Salute to the Flag, Mayor Ferrera advised that notice of this Regular Session was made in accordance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975, by posting on the bulletin board at the Municipal Building and by mailing to the Township's official newspapers, a notice that this regular session would take place at the Hillsborough Municipal Building at 7:30 p.m. on November 25, 2008.

APPOINTMENTS/PROCLAMATIONS

Appointments

❖ Resolution authoring the appointment of Pedro M. Rodrigues and Christopher Giraldi as Police Officers in Hillsborough at a salary of \$43,467.00 effective December 1, 2008

WHEREAS, there exists two vacancies in the position of Police Officer in the Police Department due to the resignation of Lindsay Krahn on June 15, 2008 and the anticipated retirement of Lt. James McConnell on or about March 1, 2009; and

WHEREAS, the Chief of Police and the Police Committee have conducted a detailed examination of the top candidates; and

WHEREAS, the Chief of Police recommends that Pedro M. Rodrigues and Christopher Giraldi be hired as Police Officers in the Police Department at an annual salary of \$43,467.00, effective on or about December 1, 2008.

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 Police Chief be and hereby is accepted and approved.

Mayor Ferrera stated that these two outstanding young men, both of whom are experienced Somerset County Sheriff's Officers have been recommended through the Police Department's rigorous examination process.

Mayor Ferrera also stated that the Officers will fill two Departmental vacancies due to a resignation earlier in the year and a retirement anticipated at the beginning of 2009.

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

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

Mayor Ferrera

Mayor Ferrera stated that during the December 4th Planning Board meeting, the Township's affordable housing consultant, Jennifer Beahm of Birdsall Engineering, presented a proposed COAH required housing plan that sharply reduced the number of both affordable units and market rate units in meeting the State's requirements for Hillsborough.

Mayor Ferrera stated that as previously discussed, the State is requiring Hillsborough to build 650 affordable units.

Mayor Ferrera also stated that with the four for one builders' bonus granted by COAH, developers could build 2600 market rate homes in Hillsborough, in order to provide the 650 affordable units.

Furthermore, Mayor Ferrera stated that, as unfair as the state's 650 unit mandate is, the deeper problem for Hillsborough is if developers can build 2600 new houses they could be 2600 more 2, 3 4, or even 5 bedroom homes. Mayor Ferrera pointed out the possible impact on Township schools and property taxes.

Mayor Ferrera also said that, as he has stated before, the State's requirements are totally unacceptable. However, Hillsborough must submit a plan by December 31st or else builders can immediately go to court seeking a "builders' remedy".

Mayor Ferrera noted further the danger there is that the court could not only allow the 2600 market rate units, but could in fact allow more, potentially destroying the local zoning.

However, Mayor Ferrera stated that the Committee will not allow that to happen and a plan that can resist legal challenge will be submitted by the State's deadline.

Fortunately, the Township's consultant, using COAH's own rules and ensuring the counting of some existing housing, has developed a plan where instead of 650 affordable units the Township will only have to allow 296 additional affordable units, at no cost to taxpayers.

Mayor Ferrera also went on to state that where instead of 2600 market rate units, the Township will only have to agree to 437 market units and while the consultant's plan is impressive, the Committee continues to believe the COAH requirements place an unfair burden on Hillsborough.

Mayor Ferrera stated that the Township will continue to participate in the State League of Municipalities lawsuit to overturn the COAH rules and that the Committee also encourages citizens to write to Governor Corzine to urge him to help scale back these housing requirements.

The Mayor states that residents can go to the Township's website, www.hillsborough-nj.org to communicate to Governor Corzine about COAH.

Committeewoman Nisivoccia

Committeewoman Nisivoccia had nothing to report at this time.

Committeeman Suraci

Committeeman Suraci stated that the Township was advised that effective last Tuesday morning, November 18th, the train engineers on the Norfolk Southern line were instructed not to sound the horns at the Beekman and Auten railroad crossings

Committeeman Suraci stated that he had spoken with several residents who have confirmed that in fact the horns are not being sounded. He went on to explain that this means that where before the trains were sounding the horn with four blasts at each of the four crossings, now the trains are down to just eight blasts at the Valley and Roycefield crossings.

Committeeman Suraci stated that this is a welcome relief for many homeowners in the surrounding area. He also thanked and acknowledged the staff for all the work that has gone into this achievement.

Committeeman Suraci stated that he had also been advised that these are the first Quiet Zones in the state of New Jersey, under the new federal regulations and that the Committee is attempting to verify that fact.

Committeeman Suraci stated that on tonight's agenda the Committee will be considering action that will help to ultimately lead to ending the sounding of the horns at Valley and Roycefield crossings, thereby completing the Quiet Zone along the entire Norfolk Southern rail line.

Committeeman Wagner

- Committeeman Wagner had nothing to report at this time.

Deputy Mayor DelCore

- Deputy Mayor DelCore had nothing to report at this time.

NEW BUSINESS

❖ Weston Road Landfill, Final Use of Property

Mayor Ferrera stated that the Weston Road landfill is a 5 acre property in the Light Industrial Zone and that the Township is presently working with the NJDEP on the closure requirements for the landfill.

Mayor Ferrera stated the fact that the Township must determine the potential final use of the property, in order for the appropriate design to be developed and submitted to the DEP.

Tom Belanger, Assistant Township Engineer, showed the Committee two proposed maps of the landfill. Mr. Belanger stated that the final use of the property is still to be discussed regarding the cap, which has not been finalized yet. He further stated that there are three possible uses: Open Space, obtain a developer because it is in an industrialized area or use it as a park land use.

Mr. Belanger spoke briefly on each of these possible uses but emphasized that nothing has been finalized as of yet.

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

35 Onka Drive (name not audible)

Resident wanted to find out any other information about the pumping location of the pumping station in regards to the sewer project in the Onka Drive area. Mr. Davis stated that the pumping station may be moved to the back of the property. Mr. Davis stated that he is hopeful at getting the materials together to have it in by a January meeting and stated that the finalized conclusion will be known at a later date.

Mayor Ferrera stated that he has been to this property and is in favor of helping this resident; however, many objectives have to go into this case first before anything can take place.

Roger Stibe (sp) 87 Agris Road, Millstone Township. (Spokesperson for Hillsborough Properties.)

Mr. Stibe stated that people have been coming onto the Hillsborough properties and creating problems. Dr. Belnay recommended the use of locks on the entrance gates; however, there are other points on the gates in which people are able to get onto the property due to a fallen down part of the fence. Mr. Stibe further stated that Mr. Crossen said that the moving of the lawn was to make it safer for people to collect out of bound balls instead of possibly having an injury. The unlocked fences would also allow a person to retrieve the balls without injury instead of having them locked. However, Dr. Belnay stated that he would like the fences locked and the mowing to stop. Mr. Crossen suggested making the fence larger so the out of bound balls would stay on the bounds.

Mr. Davis and Mayor Ferrera stated they that agree with the conclusion.

PUBLIC HEARINGS

None at this time.

INTRODUCTION OF NEW ORDINANCES

Ordinance 2008-48 AN ORDINANCE AUTHORIZING HILLSBOROUGH TOWNSHIP TO PURCHASE ALL OR A PORTION OF BLOCK 175, LOTS 39.01 AND 39.03; AND BLOCK 177, LOTS 23.01, 23.03 AND 23.04 IN FEE, AND AN APPROPRIATION IN THE TOTAL AMOUNT OF \$6,900,000.00 FROM THE OPEN SPACE TRUST FUND.

WHEREAS, the Township of Hillsborough negotiated with the United States of America to purchase all or a portion of Block 175, Lots 39.01 and 39.03; and Block 177, Lots 23.01, 23.03 and 23.04 in fee ("Property") for open space, conservation and recreational or similar uses as authorized in N.J.S.A. 40A:12-1 et seq.; and

WHEREAS, the County of Somerset was instrumental in bringing these negotiations to fruition, including agreeing to jointly purchase all or a portion of the Property; and

WHEREAS, the negotiations resulted in an Offer to Purchase and Escrow Agreement being reached; and

WHEREAS, the Township Attorney reviewed and approved the Offer to Purchase and Escrow Agreement; and

WHEREAS, the Township of Hillsborough's portion of the purchase price is \$6,900,000.00 for the joint fee acquisition of all or a portion of Block 175, Lots 39.01 and 39.03; and Block 177, Lots 23.01, 23.03 and 23.04, consisting of 369.291± acres; and

WHEREAS, the Offer to Purchase is subject to certain contingencies which must be satisfied before closing of title; and

WHEREAS, the Township Committee reviewed the Offer to Purchase and Escrow Agreement and discussed them with the Township Attorney and find them acceptable; and

WHEREAS, on September 23, 2008, the Township Committee of the Township of Hillsborough by Resolution authorized the Mayor and Clerk to execute the Offer to Purchase and Escrow Agreement; and

WHEREAS, the Township Committee desires to reaffirm the authority of the Mayor and Township Clerk to execute the Offer to Purchase and Escrow Agreement on behalf of the Township; to authorize the Township Administrator and Township Attorney to take all action necessary to satisfy all contingencies contained in the Agreement, including signing the closing documents; and to arrange to close as soon as possible; and

WHEREAS, the Open Space Advisory Committee recommended the acquisition of a portion of the Property for the purposes set forth hereinbefore and the funding of such acquisition through the Open Space Trust Fund ("Trust Fund"); and

WHEREAS, the Township will fund its portion of the purchase price through the Trust Fund; and

WHEREAS, the Township Committee desires to adopt this Ordinance to authorize the joint purchase of all or a portion of the Property with the County of Somerset and authorize the funding for the purchase of the Property.

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

This Ordinance, upon final adoption, shall authorize the Township of Hillsborough to jointly purchase the Property with the County of Somerset and expend money from the Trust Fund for the purpose of purchasing the Property.

2. The Township of Hillsborough Mayor and Clerk are hereby directed and authorized to utilize the Trust Fund for this purchase, to execute the Option to Purchase and Escrow Agreement for the purchase of all or a portion of Block 175, Lots 39.01 and 39.03; and Block 177, Lots 23.01, 23.03 and 23.04 in fee for the purchase price of \$6,900,000.00.

The Township Administrator and Township Attorney are hereby directed to take all action required to satisfy the contingencies contained in the Option to Purchase and Escrow Agreement, including signing the closing documents.

There is hereby authorized an appropriation in the amount of \$6,900,000.00 from the Trust Fund for the purchase of all or a portion of the Property described in this Ordinance. The Township Chief Financial Officer shall, prior to the effective date of this Ordinance, file with the Township Clerk a statement certifying that sufficient funds are available in the Trust Fund to make this appropriation. The original certification shall be attached to the original of this Ordinance and shall be kept on file with the Township Clerk.

This Ordinance shall take effect upon its final passage and publication according to law. Committeeman Wagner moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on December 23, 2008 at 7:30 p.m. Said motion was seconded by Deputy Mayor DelCore and unanimously approved upon call of the roll.

Mayor Ferrera stated that the Township is very excited to be moving closer to transferring the ownership of the Belle Mead GSA Depot to the County and the Township. This ordinance authorizes the transfer and appropriates \$6.9 million from the open space trust account for the joint purchase.

Mayor Ferrera stated that these funds will be placed in the escrow account for use in the clean up of the property and that Somerset County will be allocating a like amount for the purchase.

Furthermore, Mayor Ferrera stated that establishing this authorization will put the Township in position to move expeditiously once the approvals of other agencies are made.

Mayor Ferrera stated that the GSA must gain an approval from the U.S. House of Representatives Government Reform Committee and Governor Jon Corzine must approve the finding of suitability for early transfer for the property.

Committeeman Wagner stated that the preservation of the GSA Depot will be the largest land preservation project in Township history. The Township will be preventing 369 acres from being developed for housing and most of the area will be dedicated to parks and recreation.

Committeeman Wagner stated that the \$6.9 million in funding in this ordinance comes from the Open Space Trust Fund.

Committeeman Wagner stated that even after these funds are committed, there remain significant monies available in the Open Space fund. This is due in large measure to Mr. Cruz's effort to secure millions of dollars in PIG grants due to Hillsborough from earlier preservation projects.

Furthermore, Committeeman Wagner stated that each time these grant funds come into the Township's coffers, it is noted that those funds will help with future preservation projects.

Committeeman Wagner wanted to further point out that the funds that will be derived from auction of the Bothers farm has nothing to do with the funding for the GSA Depot, as some have inaccurately alleged. The monies from the auction of the Bothers farm will not be available to the Township's open space fund until the closing on that sale sometime in January and is not needed for this project.

In addition, Committeeman Wagner stated that the Open Space Committee has identified two farms in the Township with a combined total of nearly 200 acres as future targets for preservation from development.

Committeeman Wagner also congratulated Mr. Davis for his adept planning and management of the Open Space fund which has put Hillsborough in a great position to continue to preserve property from development.

Committeeman Wagner reminded everyone that the other half of the funding for the GSA Depot preservation project is coming from the Somerset County Freeholders. Without their financial support, Hillsborough would not be able to secure the GSA Depot from development.

Committeeman Wagner stated that by placing these funds, and those in the following bond ordinance, at the ready, Hillsborough will be able to move to transfer ownership of the Depot as soon as the Congress and the Governor fulfill their responsibilities.

Ordinance 2008-49 AN ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET, NEW JERSEY AUTHORIZING THE ACQUISITION OF LAND AND RELATED EXPENSES IN AND FOR THE TOWNSHIP OF HILLSBOROUGH AND APPROPRIATING \$2,100,000 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF \$2,100,000 IN BONDS OR NOTES OF THE TOWNSHIP OF HILLSBOROUGH TO FINANCE THE SAME.

WHEREAS, the Township of Hillsborough Township Committee (the "Township Committee") adopted a Resolution on April 22, 2008 determining that the properties identified on the Township's official tax map as Block 175, Lots 39.01 and 39.03 and Block 177, Lots 23.01, 23.03, and 23.04

(collectively, the "Belle Mead GSA Depot Redevelopment Area") are an "area in need of redevelopment" under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (the "LRHL"); and

WHEREAS, the Township Committee subsequently arranged for Bruce Rydel of CME Associates, a licensed professional planner of the State of New Jersey, to prepare a proposed redevelopment plan for the Belle Mead GSA Depot Redevelopment Area; and

WHEREAS, CME Associates prepared a proposed redevelopment plan for the Belle Mead GSA Depot Redevelopment Area, dated October 2008 (the "Redevelopment Plan"); and

WHEREAS, the Township Committee thereafter referred the Redevelopment Plan to the Township of Hillsborough Planning Board (the "Planning Board") for the Planning Board's review and recommendation in accordance with N.J.S.A. 40A:12A-7e; and

WHEREAS, on October 23, 2008, the Planning Board adopted a Resolution (the "Planning Board Resolution") determining that the Redevelopment Plan is consistent with the Township's Master Plan and recommending that the Township Committee adopt the Redevelopment Plan; and

WHEREAS, the Township Committee has reviewed the Redevelopment Plan and has considered the recommendations of the Planning Board (as set forth in the Planning Board Resolution); and

WHEREAS, on December 9, 2008 by Ordinance 2008-42 the Township Committee has adopted the Redevelopment Plan for the Belle Mead GSA Depot Redevelopment Area; and

WHEREAS, the Belle Mead GSA Depot Redevelopment Area is currently owned by the United States General Services Administration, which has abandoned use of the site and has evidenced its willingness to sell the site to the Township or to the County of Somerset; and

WHEREAS, pursuant to Section 8 of the Act (N.J.S.A. 40A: 12A-8), the Township has determined to acquire all or a portion of the Belle Mead GSA Depot Redevelopment Area in furtherance of the Redevelopment Plan and to facilitate the development and redevelopment of the Belle Mead GSA Depot Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, in the County of Somerset, New Jersey (not less than two-thirds of all members thereof affirmatively concurring), as follows:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Hillsborough, in the County of Somerset, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to \$2,100,000. No down payment is required for such improvement pursuant to N.J.S.A. 40A:12A-37(c).

Section 2. In order to finance the cost of the improvement or purpose provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,100,000 pursuant to the Local Bond Law and the LRHL. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law and LRHL.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the acquisition of real property, by purchase or condemnation, in connection with the Belle Mead GSA Depot Redevelopment Area, in and by the Township, consisting of all or a portion of the parcels designated as Block 175, Lots 39.01 and 39.03 and Block 177, Lots 23.01, 23.03, and 23.04 and including all rights or interests therein and all work and services necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget, as applicable, of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or temporary capital budget, as applicable, and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,100,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The Township reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

(f) The Township is acquiring all or a portion of Block 175, Lots 39.01 and 39.03 and Block 177, Lots 23.01, 23.03, and 23.04 within the Belle Mead GSA Depot Redevelopment Area in furtherance of the Redevelopment Plan and to facilitate the development and redevelopment of the Belle Mead GSA Depot Redevelopment Area.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Township Committee of the Township hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder which are issued as tax-exempt obligations as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Committeeman Wagner moved that the aforesaid Ordinance be passed on first reading and that be further considered at a public hearing held on December 23, 2008 at 7:30 p.m. Said motion was seconded by Deputy Mayor DelCore and unanimously approved upon call of the roll.

Mayor Ferrera stated that this bond ordinance authorizes the other part of the funding toward Hillsborough's share of the \$15,735,000 for the purchase of the GSA Depot. These funds will be used to purchase the 48 acre subdivision designated for a research and development campus.

Mayor Ferrera also stated that these funds, following the closing, will also be placed in the clean up escrow account along with the County's share and the Township's open space fund share. The plan is for the subdivision to be sold to a private entity for the R & D campus development, after the clean up is complete and all federal conditions are met.

Mayor Ferrera stated that the Tax Assessor has estimated that the 48 acre parcel, once cleaned up, could bring approximately \$65,000 an acre, which translates into a potential \$3.12 million for the property. State law requires that the proceeds from any sale of the property must be used to pay off the bond. So the entire bond will be paid off as soon as the 48 acre subdivision is sold.

Mayor Ferrera stated that again, there is a well thought out plan and strategy for the purchase, clean up and eventual use of the GSA Depot by the County and the Township, and we are taking the steps necessary to implement that plan.

Deputy Mayor DelCore added that the authorizing debt is not something that this Township Committee takes lightly. In this case, however, it is an appropriate authorization of debt as there is an excellent business rationale as well as an exit strategy that makes sense.

Deputy Mayor DelCore also stated that the Township will authorize \$2.1 million in bonds as part of the overall \$15,735,000 purchase of the GSA Depot. The reason for the bonding is to provide funds for non open space portion of GSA Depot for the purchase of the 48 acre subdivision designated for the research and development campus.

Deputy Mayor DelCore also stated that although the intent is to use open space funds for much of the GSA purchase, the Township cannot use open space funds for this portion of the property, because of the plan to eventually sell the site for the R & D campus.

Deputy Mayor DelCore stated that the \$2.1 million bond proceeds will go into the clean up escrow account, along with the other \$13.5 million from the County and Township. The entire GSA, including the 48 acre subdivision will be remediated utilizing the escrow funds.

Deputy Mayor DelCore stated that once remediated, the Township can then sell the 48 acres that constitutes the R&D campus. The Tax Assessor estimates that the 48 acres could be worth \$65,000 per acre or \$3.12 million.

Deputy Mayor DelCore also stated that It will take several years to clean the property, meet federal requirements, and put it up for sale; we expect that value could rise even higher. However, even at a \$3.12 million sale price, the \$2.1 million in bonds will be paid off, as the law requires. This is not intended to be a long term obligation of the Township.

Deputy Mayor DelCore stated that any bond interest paid out can also be covered by the amount gained over the \$2.1 million. The balance of the funds is then available for use in the development of the recreation site or building a community center. That is a determination for a later time.

Deputy Mayor DelCore stated that the 48 acres are put on the tax rolls as a revenue producer.

Deputy Mayor wanted to recap the plan and stated the following; The Township borrows \$2.1 million, cleans up the property, sells the property, puts it on the tax rolls, pays off the bond and interest, and has additional funds for use at the recreation area.

Deputy Mayor DelCore stated that in his opinion, this is a winning plan for Hillsborough.

Committeeman Suraci also stated that it has been our policy not to enter into debt for routine capital expenditures, a policy that has resulted in a huge savings in interest payments for the taxpayers since 2003.

Committeeman Suraci said that the purchase of the GSA Depot, and specifically the 48 acres for the R & D campus, is far from a routine expenditure. It is an infrastructure cost that is appropriate for debt financing.

Committeeman Suraci also stated that he agreed with Deputy Mayor DelCore, and that anytime the Township is considering debt, we should be thoughtful and deliberate and there should be a solid plan. This is a case where all those criteria are met.

Committeeman Suraci stated that the fact that the debt will be repaid within several years through the sale of the 48 acres will result in a net zero impact on the taxpayers in the long term.

Committeeman Suraci stated that additionally, one of the reasons we embarked on a debt prepayment plan over the past three years, paying off \$1.8 million in additional old debt over that period, is the understanding that there will be times when creating new debt is necessary and appropriate, and this is one of those times.

Committeeman Suraci stated that the debt pay down plan of the last three years will result in nearly offsetting the \$2.1 million being authorized by this ordinance, resulting in a nearly net zero impact for taxpayers over the short-term, as well.

Committeeman Suraci stated that he agreed with this plan and stated that it is well thought out. He also stated that in addition to being creative and most important, right for the taxpayers of Hillsborough.

Resident Manny Foranoc came to speak about this ordinance. He asked if the Committee has done a market analysis on the assessed cost of this ordinance as to what this property is going to be worth. Administrator Kevin P. Davis stated that there have been several appraisals by both the federal government and the county for the entire 369 acres several years ago which precipitated how much the appraisal would be.

Mr. Foranoc asked if the Committee knew the cost it would be to clean up the forty nine acres.

Deputy Mayor DelCore stated that this was talked about during the last meeting and all findings are on the Township Website.

Committeeman Wagner moved to open the public hearing on Ordinance 2008-49. Said motion was seconded by Deputy Mayor DelCore and carried unanimously by voice vote.

**Ordinance 2008-50 AN ORDINANCE REPEALING AND REPLACING CHAPTER
183 OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH,
TITLED "HUNTING AND WILDLIFE MANAGEMENT."**

BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Chapter 183 of the Code of the Township of Hillsborough, titled "Hunting and Wildlife Management" is repealed in its entirety.

Section 1. Chapter 183 of the Code of the Township of Hillsborough, titled "Hunting and Wildlife Management" is replaced as follows:

HUNTING AND WILDLIFE MANAGEMENT

§183-1. Definitions.

"Endangered species" means any species or subspecies declared to be endangered by applicable law or regulations.

"Nongame species" means any wildlife for which a legal hunting or trapping season has not been established or which has not been classified as an endangered species by applicable law or regulation.

"Wildlife" means any wild mammal, bird, reptile, amphibian, fish, mollusk, crustacean or other wild animal that is neither an endangered species or a nongame species. The definition of wildlife includes "white-tailed deer."

§183-2. Hunting in public places prohibited, but with exception.

It shall be unlawful at all times to hunt, kill or destroy or attempt to hunt, kill or destroy any wildlife while being in any of the public streets, highways, alleys, parks, municipally owned open spaces and/or greenways or other public places in the Township of Hillsborough, whether said wildlife is in said public streets, highways, alleys, parks, municipally owned open spaces and/or greenways or public places, or whether said wildlife is in the fields or woods adjacent to said public streets, highways, alleys, parks, municipally owned open spaces and/or greenways or other public places in said Township of Hillsborough, except in accordance with §§183-4, 5 and 6 of the Code of the Township of Hillsborough. Beyond the exceptions granted by Chapter 183, all hunting prohibitions shall remain in effect.

§183-3. Violations and penalties.

Every person violating the provisions of §183-2 above shall, upon conviction, be punishable as provided in Chapter 1, General Provisions, Article II.

§ 183-4. Culling of white-tailed deer or other wildlife on municipally owned land.

The hunting, shooting, killing and removal of white-tailed deer or other wildlife on municipally owned land shall be allowed only with the possession of and under the provisions of a municipal wildlife management permit for such activity. The number of municipal wildlife management permits issued each year and the properties for which such permits shall be issued, shall be determined annually by resolution of the Township Committee. The permit process is described in §183-6 of this chapter.

§ 183-5. Wildlife management program.

A. General purpose. The wildlife management program (or "program") shall establish the provisions for the conduct of public hunting and/or of any other method of wildlife management, control or preservation on municipally owned land with a municipal game management permit for said activity which is separately authorized under §183-4 of this chapter. The program shall emphasize the maintenance of a healthy balance and diversity in the local ecology while providing for the health and safety of Township residents and the protection of farming.

B. State assistance. The program should be developed with the assistance of the New Jersey Division of Fish and Wildlife, and none of its provisions shall be in conflict with state hunting or wildlife control laws or regulations.

C. Permits required for public hunting. The hunting, shooting, killing and/or removal of wildlife from municipally owned land may be provided for by the program only with the possession of and under the provisions of a municipal wildlife management permit for such activity. The permit process is described in §183-6 of this chapter.

§ 183-6. Permit process for hunting on municipally owned land.

A. Prohibition of hunting or carriage of loaded or unloaded weapons on municipally owned land without a municipal wildlife management permit. No one shall hunt, shoot, kill or remove white-tailed deer or any other wildlife, or carry firearms or any other weapon potentially dangerous to wildlife and human safety, on municipally owned land unless having first obtained a municipal wildlife management permit for such activity.

B. Number of permits and permitted properties. The number of municipal wildlife management permits issued each year for the culling of white-tailed deer, and the properties for which the permits are issued, shall be determined annually by resolution of the Township Committee. The number and type of other municipal wildlife management permits that may be issued, and the properties for which such permits may be issued, shall be established under the Township's wildlife management program.

C. Permit process.

(1) A municipal wildlife management permit may be obtained by application to the Township Clerk. Application forms will be available in the Clerk's office.

(2) Applicants must apply in person and must bring the applicable original New Jersey resident hunting license valid for the current calendar year and required permit documents with them for photocopying at the Clerk's office.

(3) Individual applicants may form a group or hunting club to purchase all the permits available for a specific property; in such case one (1) individual may appear in person to apply on behalf of the group or hunting club.

(4) The application shall contain the following applicant information; each member of a purchasing group must individually provide this information:

(a) Name, address and phone number.

(b) Date of birth; applicants must be 18 years of age or older to be eligible.

(c) Motor vehicle information, including year, make, model and license plate number.

- (d) Valid New Jersey resident hunting license (firearm, bow and arrow or all around sportsman).
 - (e) A copy of the certificate of insurance confirming general liability insurance with coverage with combined single limits for bodily injury and property damage of at least \$1,000,000 per single occurrence and \$1,000,000 annual aggregate.
 - (f) The parcel for which a permit is sought.
 - (g) A completed consent form for the purpose of conducting a hunting license check on each individual applicant.
- (5) As permissible under state law, preference may be given to Township residents followed by Somerset County residents; thereafter, remaining permits shall be available to any eligible resident of the State of New Jersey.
- (6) Any permit issued by the Township may contain such conditions as are reasonably required to ensure the safety of Township residents, including but not limited to posting the properties to warn the public of any hunting activities taking place thereon limiting the days and times during which the permittees may hunt thereon and restricting the areas within the properties on which the permittees may hunt.
- (7) Permits shall be valid only during the applicable state-approved deer or other wildlife hunting seasons, as said dates may be amended from time to time by state authorities or Township officials.
- (8) Permits shall be specific to the property for which they are issued and shall be nontransferable between properties and/or parties.
- (9) The Township may charge a fee for the issuance of permits. Fees may be established by a standardized fee schedule or determined by a competitive bidding process. For the culling of white-tailed deer, the permit fee structure shall be established annually by resolution of the Township Committee. For the hunting of other wildlife as may be permitted under the Township wildlife management program, said permit fee structure shall also be established annually by resolution of the Township Committee.
- (10) The Township Chief of Police, or designee, shall be authorized to revoke a permit issued hereunder at any time if the safety of any persons or the safety of personal or Township property is threatened as a result of activity authorized by the permit. Violations by any permittee of any applicable state or local rules or regulations pertaining to hunting shall also cause the permit to be revoked. Where such permit has been revoked or where persons or personal property are endangered as set forth above, the Police Department is authorized to require that such person or persons leave the Township-owned land immediately and take all steps necessary and legal to eliminate the condition that endangers persons or property.

§ 183-6. Wildlife Management Commission.

A. Establishment of a Wildlife Management Commission. There is hereby established a Wildlife Management Commission (WMC) of the Township of Hillsborough, which shall develop and recommend to the Township Committee, on an annual basis, a Township wildlife management program as described in general terms in §183-5 and shall monitor and report on said program after its adoption by the Township Committee.

B. Composition; terms; vacancies; removal.

(1) The WMC shall consist of five (5) members appointed by the Township Committee by resolution.

- (a) All must be residents of the Township.
 - (b) All shall be appointed for terms of three (3) years, staggered as evenly as possible by reason of the original appointments.
 - (c) All vacancies shall be filled for the unexpired term in the same manner by the Township Committee.
- (2) The Township Committee may remove any member of the WMC for cause. Cause for removal may be found where:

- (a) A member is absent for three consecutive meetings or fifty (50%) percent of regularly scheduled meetings within a calendar year.
- (b) A member does not take a proper part in carrying out the mission or performing the duties of the WMC.

C. Organization.

(1) The WMC shall organize within thirty (30) days after the appointment of its total membership, and thereafter annually each January, by the election by its membership of one (1) of its members as Chairman and one as Secretary.

(2) The WMC shall meet at least four (4) times per year, and may choose to meet more often as necessary to perform its duties.

D. Powers and duties.

(1) The WMC shall prepare annually, in consultation with appropriate Township staff officials, a proposed wildlife management program.

(a) The proposed program shall be submitted each June to the Township Committee for its consideration.

(b) If the WMC cannot or does not submit a proposed program within the required time, the appropriate Township staff officials shall propose a program.

(2) The Township Committee shall consider the program that is proposed to it by the WMC and/or appropriate Township staff officials, but it maintains full authority to adopt a program of its choice or not adopt a program at all.

(3) The WMC shall monitor the adopted program and, in May of each year, shall report to the Township Committee on the conduct and outcome of the past year's program.

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.

Committeeman Wagner moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on December 23, 2008 at 7:30 p.m. Said motion was seconded by Committeeman Suraci and unanimously approved upon call of the roll.

Mayor Ferrera stated that the Wildlife Management Commission and the Health Department have brought to our attention the need to adjust the hunting ordinance to allow for the management of other game beyond deer, for public health reasons.

Mayor Ferrera stated that this change will give the Commission the latitude to recommend hunting of certain other state authorized game on designated public lands, where necessary on a temporary basis, with the final approval resting with the Township Committee.

Lt. Kubisch said about the previous hunting areas and the addition of new ones. Stated the decline in animals such as rabbits because of the predator animals being on arise such as foxes and coyotes. There has also been an increase in the number of trappers in the area. Lately, the number of trappers has actually decreased and therefore the number of foxes and coyotes has been on a rise. Another reason for this is health reason. Many of these animals have rabies and are harmful to the Township if they come in contact with a resident.

Mr. Mike Merdinger summarizes the above statements.

Mr. Davis states that this Ordinance allows the Wildlife Commission to speak about this. This is merely changing the ordinance and not replacing it.

Ordinance 2008-51 AN ORDINANCE AMENDING CHAPTER 147 OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, TITLED "CRIMINAL HISTORY BACKGROUND CHECKS", SECTIONS 3C, 4A, 4B, 5A, 6A, 6B, AND BY ADDING A NEW SECTION 147-7, TITLED "APPEAL PROCEDURE."

WHEREAS, it is the desire of the Township Committee of the Township of Hillsborough to amend Chapter 147 of the Code of the Township of Hillsborough, titled "Criminal History Background Checks", Sections 3C, 4A, 4B, 5A, 6A, 6B, and by adding a new Section 147-7, titled "Appeal procedure."

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

Section 1. Section 147-3 of the Code of the Township of Hillsborough, titled "Conditions under which a person is disqualified from service", is hereby amended by repealing Paragraph A and replacing it with the following:

A person shall, subject to the appeal procedure provided by Section 147-7, be disqualified from serving as an employer or volunteer involved with Township sponsored programs involving minors if that person's criminal history background check reveals a record of conviction of any of the following crimes or offenses:

The remainder of Section 147-3A remains the same.

Section 2. Section 147-3 of the Code of the Township of Hillsborough, titled "Conditions under which a person is disqualified from service", is hereby amended by adding the following sentence at the end of Paragraph C:

The specific criminal violation is not identified on the notification.

Section 3. Section 147-4 of the Code of the Township of Hillsborough, titled "Submissions; exchange of background check information", is hereby amended by deleting the last sentence at the end of Paragraph A as follows:

The Township shall submit this documentation to the Police Chief of the Township, or his designee, who shall coordinate the background check.

Section 4. Section 147-4 of the Code of the Township of Hillsborough, titled "Submissions; exchange of background check information", is hereby amended by deleting Paragraph B in its entirety and changing Paragraph C to Paragraph B.

Section 5. Section 147-5 of the Code of the Township of Hillsborough, titled "Limitations on access and use of criminal history record background checks", is hereby amended by changing Paragraphs A and B to Paragraphs B and C and adding a new Paragraph A as follows:

A. It shall be the responsibility of the prospective employee or volunteer to obtain their criminal history from the SBI that identifies the specific criminal violation(s) and deliver it to the Appeals Committee for the purpose of an appeal or presenting a challenge to the accuracy of the report.

Section 6. Section 147-6 of the Code of the Township of Hillsborough, titled "Employee or volunteer may challenge accuracy of report", is hereby amended by deleting "Chief of Police, or his designee," in the first sentence of Paragraph A, and substituting "Appeals Committee" in its place.

Section 7. Section 147-6 of the Code of the Township of Hillsborough, titled "Employee or volunteer may challenge accuracy of report", is hereby amended by deleting "Chief of Police, or his designee, in his sole discretion" in Paragraph B, and substituting "Appeals Committee, in its discretion", in its place.

Section 8. Section 147 of the Code of the Township of Hillsborough, titled "Criminal History Background Checks", is hereby amended by adding a new Section 147-7 as follows:

§ 147-7. Appeal procedure.

A. Any person whose criminal history background check disqualifies that person from employment or from volunteering may appeal his or her disqualification on the basis that the person has been rehabilitated.

B. An appeal based on rehabilitation shall be made to an Appeals Committee, which shall consist of the Chair of the Recreation Commission, the Township Chief of Police, and the Township Administrator. Any such appeal must be made within thirty (30) days of receipt of the notice of disqualification.

C. In determining whether a person has affirmatively demonstrated rehabilitation, the Appeals Committee may consider the following factors:

- (1) The nature and responsibility of the position which the convicted person would hold or has held, as the case may be;
- (2) The nature and seriousness of the offense;
- (3) The circumstances under which the offense occurred;

- (4) The date of the offense;
- (5) The age of the person when the offense was committed;
- (6) Whether the offense was an isolated or repeated incident;
- (7) Any social conditions which may have contributed to the offense; and
- (8) Any other evidence of rehabilitation, including a certificate of rehabilitation issued pursuant to N.J.S.A. 2A:168A-7 et seq., good conduct in prison or the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the person under their supervision.

D. If the Appeals Committee determines that the disqualified person has been successfully rehabilitated, it shall enter that person's name on the list of qualified employees and volunteers maintained by the Director of Parks and Recreation.

E. A person is not eligible for a certificate of rehabilitation pursuant to N.J.S.A. 2A:168A-7 if that person has been convicted of:

- (1) a first degree crime;
- (2) an offense to which N.J.S.A. 2C:43-7.2 (eligibility for parole; persons convicted of certain violent crimes) applies;
- (3) a second degree offense defined in Chapters 13 (kidnapping and related offenses; coercion); 14 (sexual offenses); 15 (robbery); 16 (bias crimes); 24 (offenses against the family, children and incompetents); 27 (bribery and corrupt influence); 30 (misconduct in office; abuse of office); 33 (riot, disorderly conduct and related offenses); and 38 (September 11th, 2001 Anti-Terrorism Act);
- (4) a violation of N.J.S.A. 2C:24-4a or of N.J.S.A. 2C:24-4b(4) (endangering the welfare of children);
- (5) a crime requiring registration pursuant to N.J.S.A. 2C:7-2 (Megan's Law);
- (6) a crime committed against a public entity or against a public officer;
- (7) a crime enumerated in N.J.S.A. 43:1-3.1b(2) (theft by deception) committed by a public employee, which involves or touches upon the employee's office, position or employment, such that the crime was related directly to the person's performance in, or circumstances flowing from, the specific public office or employment held by the person;
- (8) any crime committed against a person sixteen (16) years of age or younger, or a disabled or handicapped person; or
- (9) a conspiracy or attempt to commit any of the crimes described in Section 147-7E.

Section 9. 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 10. Effective Date.

This Ordinance shall take effect as provided by law.

Committeeman Wagner moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on December 23, 2008 at 7:30 p.m. Said motion was seconded by Committeeman Suraci and unanimously approved upon call of the roll.

Mayor Ferrera stated that Hillsborough's background check ordinance for our recreation program has been a great success. This is one of the keys to that success is deterrence.

Mayor Ferrera stated that a convicted pedophile or predator knows that in Hillsborough their finger prints will be checked against the crime data base, so there is no point in even trying to sign up to be a volunteer in one of our programs.

Mayor Ferrera also stated that while there is no substitute for parental supervision, many parents have indicated to me their relief that we have such an additional control in place to protect our children. However, the Recreation Commission has brought to our attention the fact that Hillsborough's background check ordinance does not allow for the due process of an appeal hearing that most other communities include in their rules.

Mayor Ferrera also stated that Montgomery and Bridgewater both have an appeal process, as do other area communities.

Mayor Ferrera stated that the Committee has been advised that the creation of an appeal process can help to avoid potential litigation by individuals who are not approved. He also talked about litigation that could freeze or overturn our background check process.

Mayor Ferrera stated that in order to avoid that situation, this change gives rejected applicants due process, and creates a three member panel for the appeal process, consisting of the Police Chief, the Township Administrator, and the Chairman of the Recreation Commission.

Mayor Ferrera stated that anyone who has been convicted of sex crimes or endangering the welfare of children, or is covered by Megan's Law, or who has committed crimes of the first or second degree, is ineligible for appeal. The process of the Appeal will be extremely difficult on the appellant, as it should be, in order to continue to protect our children.

**Ordinance 2008-52 AN ORDINANCE AMENDING ORDINANCE 2007-15 ENTITLED
"APPROPRIATING CERTAIN MONIES HELD BY AND CONTRIBUTIONS
TO BE RECEIVED BY THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF
SOMERSET, STATE OF NEW JERSEY, FOR THE PURCHASE OF VARIOUS
CAPITAL IMPROVEMENTS IN THE AMOUNT OF ~~\$1,504,345~~, \$1,589,345, IN
AND FOR THE TOWNSHIP OF HILLSBOROUGH".**

WHEREAS, Ordinance 2007-15 was adopted on May 8, 2007, and

WHEREAS, Ordinance 2007-15 is now amended as indicated by the strike through and italicized notations, and

WHEREAS, there are funds available in the Hillsborough Township Capital Improvement Fund in the amount of ~~\$824,345.00~~ *\$909,345.00* and

WHEREAS, a grant has been awarded to the Township of Hillsborough from the New Jersey Department of Transportation, Transportation Trust Fund for paving of Wertsville Road in the amount of \$150,000, and

WHEREAS, the following off-site contributions of \$230,000.00 have been received from various developers to be utilized for general improvements throughout the Township in accordance with Planning Board resolutions of approval, and

C-04-54-000-046	Maximum Fitness	4,307.00
C-04-54-000-054	Orchard Hill	4,000.00
C-04-54-000-056	Pargas	2,180.00
C-04-54-000-060	Raider Blvd.	19,420.00
C-04-54-000-064	Raritan Mills	2,040.50
C-04-54-000-066	Rhoads, Douglas	5,100.00
C-04-54-000-070	Schlott	1,700.00
C-04-54-000-076	Sullivan, Donna	2,100.00
C-04-54-000-077	Sullivan, Sylvester	3,000.00
C-04-54-000-085	Willows Landing	164,141.00
C-04-54-000-092	Coventry Chase	22,011.50
Total		230,000.00

WHEREAS, the following off-site contributions of \$50,000.00 have been received from various developers to be utilized for sidewalk improvements throughout the Township in accordance with Planning Board resolutions of approval, and

C-04-53-000-027	Raritan Hills	50,000.00
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WHEREAS, the following contribution of \$250,000.00 will be made to the Township by Beazer Development Co. Inc. for the creation of quiet zones at various railroad crossing in the Township, in accordance with Planning Board resolutions of approval, and

WHEREAS, the Hillsborough Township Committee has determined there is a need to appropriate the aforesaid Capital funds for the following purposes and amounts:

1.	Road Overlays & Repairs (including but not limited to)	821,885.00
	Repaving of Wertsville Road	
	Repave Triangle Road	
	Mill Lane Curve - safety improvements	
	Repave Farm Road	
	Repave Winding Way	
	Repave Stage Coach Drive	
2.	Sidewalk Replacement	50,000.00
3.	Weston Road Landfill	72,000.00
4.	Upgrade municipal complex security system	60,000.00
5.	Purchase 2 defibrillators	4,000.00
6.	Purchase salt dome door	12,000.00
7.	Replace 1977 John Deere 544 - rubber tire loader	150,000.00
8.	Toro Groundsmaster 4500D mower and trailer	55,450.00
9.	Trail Equipment	15,500.00
10.	Purchase digital recording system	13,510.00
11.	Quiet Zones	335,000.00
		250,000.00
		1,589,345.00

WHEREAS, any grant funds received by the Township, for any of the aforementioned projects, will be utilized for said purposes. Any funds not utilized upon receipt of additional grant funds will be returned to their original source of funding.

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.

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 23, 2008 at 7:30 p.m. Said motion was seconded by Committeeman Wagner and unanimously approved upon call of the roll.

Mayor Ferrera stated that the Township has successfully gained approval and implementation of the railroad Quiet Zones at the Beekman Lane and Auten Road crossings, the next step in the process is the implementation of the wayside horn for Valley Road.

Mayor Ferrera stated that the Township is presently negotiating a final approval for the wayside horn with Norfolk Southern. This ordinance adds \$85,000 to the quiet zone capital improvement and will provide the funds necessary to construct the wayside horn safety device, as soon as an agreement is finalized with the rail line.

Mayor Ferrera stated that it is our goal to have all four crossings along the Norfolk Southern line established as quiet zones in 2009.

CONSIDERATIONS

Mayor Ferrera offered the following resolutions:

1. Resolution authorizing the Township of Hillsborough to enter into a Cooperative Pricing Agreement with the Cranford Police Cooperative Pricing System.

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on November 25, 2008 the governing body of the Township of Hillsborough, County of Somerset, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services.

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 resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Hillsborough.
2. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor and the Township Administrator/Clerk are hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

3. The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of State of New Jersey.

4. This resolution shall take effect immediately upon passage.

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

Mayor Ferrera stated that the Township is always seeking the opportunity to cut costs through shared services. The Police Chief has recommended that Hillsborough join the Police Cooperative Pricing System which is headed up by Cranford Township in Union County.

Mayor Ferrera also stated that by participating in the joint purchasing system, Hillsborough gains the lower costs associated with bulk buying for police purchases. There are 70 municipalities participating in the system.

2. Resolution amending extraneous duty rates charged for Hillsborough Police Department personal.

WHEREAS, Chapter 92 (Police Department), Section 3 (Application for Special Police Services) of the Code of the Township of Hillsborough delineates the extraneous duty rates of Township Police Officers; and

WHEREAS, 92-3C of the Code of the Township of Hillsborough states that such rates may be amended from time to time by resolution of the Hillsborough Township Committee as circumstances warrant; and

WHEREAS, due to the increase in the cost of extraneous duty for Hillsborough Township Police Officers, Police Chief Paul Kaminsky has recommended that extraneous duty rates be amended in order to lessen the burden on the Police Department budget as well as to account for rising fuel and administrative costs; and

WHEREAS, Police Chief Paul Kaminsky has recommended that such extraneous duty rates be amended as follows:

Board of Education Facilities

The Extraneous Duty rate for Board of Education (B.O.E.) related work, as established and governed under Chapter 92-3 B (1) of the Hillsborough Township Code, be changed from \$33.00 per hour to \$40.00 per hour.

Private Contractors and Entities

The Extraneous Duty rate for Private Contractors and Entities, as established and governed under Chapter 92-3 B (2) of the Hillsborough Township Code, be changed from the officers' overtime rate plus \$3.00 per hour administrative fee, which currently only covers payroll costs, to the officers' overtime rate plus \$13.00 per hour administrative fee, to properly cover vehicle and fuel usage as well as payroll costs.

WHEREAS, the aforementioned extraneous duty rate changes shall take effect on January 1, 2009.

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 Police Chief Paul Kaminsky is hereby accepted and that the extraneous duty rates are amended as recommended by the Police Chief, effective January 1, 2009.

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

Mayor Ferrera stated that this changed the fee charged to private contractors for police services to include a \$10 per hour fee for vehicle and gas usage.

Mayor Ferrera stated that there is also a change to the fee paid by the School Board for Police services at events from \$33 to \$40. The School Board is aware and has planned for the change. These fees have not been changed in 5 years and this makes it more reflective of actual costs.

Mayor Ferrera confirmed that both of these changes are recommended by the Police Chief.

3. Resolution authorizing the execution of a "Non Fair and Open" contract with Larimore Associates for maintenance of Police Department software, as recommended by the Chief of Police, in an amount not to exceed \$18,279.00.

WHEREAS, there exists a need for maintenance of software in the Police Department for the year 2009; and

WHEREAS, Larimore Associates provided software maintenance in the Police Department in 2008; and

WHEREAS, the Township Committee has decided to award a "Non Fair and Open" contract to Larimore Associates to perform maintenance of Police Department software in an amount not to exceed \$18,279.00 for 2009 pursuant to their proposal dated October 24, 2008 and the recommendation of the Police Chief; 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); 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, Larimore Associates is required to submit a Political Contribution Disclosure form.

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

1. The action of the Township Administrator/Clerk to authorize and execute the agreement with Larimore Associates for maintenance of Police Department software.
2. This contract is awarded without competitive bidding as a "Non Fair & Open Contract".
3. The Mayor and Township Administrator/Clerk are hereby authorized to execute the Township's standard form of agreement for "Goods and Services" and any modifications thereto and related constituent documents as may be found acceptable by the Township Committee.

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

Mayor Ferrera stated that Larimore Associates have been successfully providing software maintenance for the Police Department for several years and are recommended to continue the service by the Police Chief.

4. Resolution authorizing Change Order No. 1 representing a decrease in the contract amount of \$1,000.00 and Change Order No. 2 representing an increase in the contract time only and not the dollar amount of the contract, as recommended by the Director of Building and Construction for the Senior Citizen Activity Center.

WHEREAS, on June 24, 2008, Suburban Building Co., LLC., was awarded a contract for the Senior Citizen Activity Center, in an amount not to exceed \$192,400.00; and

WHEREAS, Change Order No. 1 decreases the contract amount by \$1,000.00 because the Township of Hillsborough Department of Public Works provided the signage for the Senior Citizen Activity Center; and

WHEREAS, Change Order No. 2 increases the time to complete the contract only and does not affect the dollar amount of the contract; and

WHEREAS, the Township Director of Building and Construction recommends that the Change Orders be issued.

NOW, THEREFORE, BE IT RESOLVED that the Hillsborough Township Committee hereby authorizes the execution of the above Change Orders to the contract awarded to Suburban Building Co., LLC.

Upon motion by Committeeman Wagner, seconded by Deputy Mayor DelCore the aforesaid resolution was unanimously approved up on call of the roll.

Mayor Ferrera stated that the Committee has a change order for the construction of the Senior Activity Center that decreases the cost of the contract.

Mayor Ferrera thanked everyone involved in the project for their great work.

5. Resolution authorizing Employee Health Benefit Adjustments pursuant to contractual obligations.

WHEREAS, the Township of Hillsborough changed from a self funded employee health benefit program to the State Health Benefits Program (SHBP) on November 1, 2007, in order to provide substantial taxpayer savings; and

WHEREAS, in the change-over to the SHBP certain components of employee health benefits that were available in the Township's self funded program are not offered in the SHBP, and some of those components are specifically provided for in the various collective bargaining agreements between the Township and the various collective bargaining units; and

WHEREAS, in order to avoid costly legal challenges through the grievance and/or Public Employee Relations Commission (PERC) process, and to maintain good employee relations and morale, the Township will continue to provide certain components of employee health benefits, as outlined below, in addition to the benefits provided through the SHBP; and

WHEREAS, the Township Administrator and Chief Finance Officer have reported that these benefits were available to employees prior to the change to the SHBP on November 1, 2007 and the potential added cost of the extension of these benefits will have a minimal impact on the overall budget for employee health benefits.

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

The lifetime health benefits cap for out of network coverage will be \$2 million, with the Township of Hillsborough providing coverage beyond the \$1 million lifetime limit for out of network coverage established in the SHBP.

The Township of Hillsborough will cover the difference between 30% of the cost and the \$10 co-pay for non-emergent provider visits in states not participating in the SHBP, with the provision of proof of payment.

Members who were covered in the CHN EPO Plan C on October 31, 2007 will continue to be eligible for vision care reimbursement in the amount of \$100 per year for contacts or \$70 per year for lenses and frames, with the provision of a proof of payment.

The Township of Hillsborough will reimburse covered members for each emergency room visit the difference between the specific coverage available to the member prior to November 1, 2007 (EPO- \$20 and POS - \$25) and the \$35 cost in the SHBP, with the provision of proof of payment.

All of the above to be effective November 1, 2007.

BE IT FURTHER RESOLVED that the Township's Labor Counsel is directed to prepare a Memorandum of Agreement incorporating this resolution into each bargaining unit's current agreement (PBA Local #205, Hillsborough Township Public Works Employees Association, AFSCME Council # 73, and Hillsborough Township Police Dispatchers, Teamster Local #701), and

BE IT FURTHER RESOLVED that these same benefits are to be extended to all non-union full time employees of the Township.

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

Mayor Ferrera stated that when the Township changed over from a self funded health benefits program to the State Health Benefits Plan, there were some health care costs from the Township's plan that are not part of the new State plan.

Mayor Ferrera stated that because these health care costs were explicitly noted in various contractual agreements with the employee unions, the Township has negotiated a settlement, in order to avoid costly litigation through the grievance process.

CONSENTS

Mayor Ferrera offered the following consent agenda:

1. Resolution approving an application for a bingo license by Manville-Hillsborough Elks.

WHEREAS, an application for a bingo license has been filed by Manville-Hillsborough Elks for bingos being held on:

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 Bingo Raffle application #1110 to Manville-Hillsborough Elks for bingos being held on the above dates.

a. Resolution approving applications for a raffle licenses by Amsterdam House and School Association.

WHEREAS, applications for raffle licenses have been filed by Amsterdam Home and School Association for raffles being held on February 27, 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 Raffle Licenses #1111 and #1112 to Amsterdam Home and School Association for raffles being held on February 27, 2009.

2. Resolution approving applications for a raffle licenses by Triangle Home and School Association.

WHEREAS, applications for raffle licenses have been filed by Triangle Home and School Association for raffles being held on March 20, 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 Raffle Licenses #1113 and #1114 to Triangle Home and School Association for raffles being held on March 20, 2009.

3. Resolution approving the request from Jeffrey Fetzko for the release of Development Review Escrow, in the amount of \$400.78.

WHEREAS, a request has been received from Jeffrey Fetzko 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 \$400.78 Development Review 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 Hillsborough Township Planner be and hereby is accepted and approved.

4. Resolution granting permanent employee status to Rebecca Marshall.

WHEREAS, Rebecca Marshall was hired as Assistant Planner/Zoning Officer in the Planning/Zoning Department on June 16, 2008; and

WHEREAS, the Township Planner certifies that Rebecca Marshall has performed her duties and assignments in a capable and competent manner; and

WHEREAS, having qualified for regular employee status during the three-month probationary period, the Township Planner recommends that regular employee status be conferred upon Rebecca Marshall, effective September 16, 2008 ; and

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 Township Planner be and hereby are accepted and approved.

5. Resolution approving the request from Ken & Susan Gries for the release of Development Review Escrow, in the amount of \$292.61.

WHEREAS, a request has been received from Ken & Susan Gries 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 \$292.61 Development Review 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 Hillsborough Township Planner be and hereby is accepted and approved.

6. Resolution approving the request from Z Brothers Concrete Contractors, Inc. to accept the Quiet Zone Road Improvement Project accept Maintenance Bond No. 6507354 and pay final invoice, in the amount of \$81,247.15.

WHEREAS, a request has been received from Z Brothers Concrete Contractors, Inc. for the acceptance of the Quiet Zone Road Improvement project; and

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

1. Accept the project.
2. Accept Maintenance Bond No. 6507354 from First National Insurance Company of America in the amount of \$13,202.65.
3. Pay final invoice from Z Brothers Concrete Contractors, Inc. in the amount of \$81,247.15.

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.

7. Resolution approving the request from T&T Realty Associates, LLC for the release of Development Review Escrow, in the amount of \$5.50.

WHEREAS, a request has been received from T&T Realty 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 \$5.50 Development Review 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 Hillsborough Township Planner be and hereby is accepted and approved.

8. Resolution authorizing refund of tax overpayments in the amount of \$7,955.64.

WHEREAS, several 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, \$7,955.64 properties, 2.

Block	Lot	Name	Amount	Qtr	Year
175	1.18 Condo	Bisignano, Antonio & Vincenza	537.01	4 th	2008

205.30 39 First American Tax Service 7,418.63 4th 2008

9. Resolution accepting the proposed 2009 contract with the Somerset County Coalition on Affordable Housing (SCCOAH) and authorizing the Mayor and the Township/Administrator/Clerk to enter into an Affordable Housing Agency Agreement for Crestmont Hills and New Center Greens with SCCOAH.

WHEREAS, the Somerset County Coalition of Affordable Housing (SCCOAH) has submitted Affordable Housing Agency Agreements; and

WHEREAS, said agreements are for the administration of the affordable housing units in Crestmont Hills (aka Crestmont Village) and New Center Greens, in an amount not to exceed \$10,296.00; and

WHEREAS, the Township Planner has recommended that the Township approve said contracts so as to ensure continued compliance with the applicable affordable housing requirements.

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 the Township Administrator/Clerk are hereby authorized to enter into Affordable Housing Agency Agreements for Crestmont Hills and New Center Greens with SCCOAH, in an amount not to exceed \$10,296.00.

10. Resolution authorizing the Township Attorney to enter into a Stipulation of Settlement relative to the Tax Appeal captioned Charbbie, Inc. vs. Hillsborough Township, Tax Court of New Jersey.

WHEREAS, CHARBBIE, INC. (the "Taxpayer"), the owner of 311 Amwell Road, Block 198, Lot 5.B (the "Property") on the Hillsborough Township Tax Assessment Maps, filed an appeal of its 2008 tax assessment on Property, in the Tax Court of New Jersey, Docket No. 007643-2008; and

WHEREAS, the Township Committee of the Township of Hillsborough met and discussed the aforesaid tax appeals and the recommendations of its Township Tax Assessor and Township Attorney; and

WHEREAS, the Township Tax Assessor has reviewed and analyzed the subject property, as well as the market pertaining to the subject property; and

WHEREAS, an acceptable settlement of the aforementioned tax appeal has been negotiated; and

WHEREAS, pursuant to the settlement, the Complaint will be withdrawn and that a Judgment dismissing said case may be entered by the Court; and

WHEREAS, pursuant to the settlement, the taxpayer, its successors and assigns, and Township will agree to waive any rights they may have to file an appeal of the 2009 assessment of the Property if the total tax assessment for the 2009 tax year is set by the Tax Assessor at \$1,272,000.00; and

WHEREAS, pursuant to the settlement the Taxpayer will acknowledge that the Township has entered into this Settlement in part in consideration for this 2009 tax year tax appeal waiver; and

WHEREAS, the Taxpayer will also represent that there has been no contract entered into to sell the property, and that no sale of the property is contemplated before January 10, 2009, and that in the event, before January 10, 2009, the property is sold for more than the equalized value of the agreed upon 2008 assessment then the Tax Assessor may adjust the 2009 assessment to reflect the equalized value of said sale, and if in such an event, the Tax Assessor does not adjust the assessment to reflect the equalized value of such a sale, then the Township may file a tax appeal in 2009; and

WHEREAS, the Township Committee leaves allocation between land and improvement of the aforesaid 2009 tax assessment to the Hillsborough Township Tax Assessor's discretion with the direction that the same be set so as to be most beneficial to the Township; and

WHEREAS, the aforesaid settlement has no general application to other properties within the Township of Hillsborough as a result of the aforesaid specific fact situation; and

WHEREAS, the Township Committee of the Township of Hillsborough will make this settlement with CHARBBIE, INC, without prejudice to its dealings with any other Hillsborough Township taxpayer's request for tax assessment reduction.

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 Township Attorney is hereby authorized to execute a Stipulation of Settlement relative to the tax appeals of CHARBBIE, INC. v. HILLSBOROUGH TOWNSHIP, Docket No. 007643-08, which withdraws and dismisses that 2008 tax appeal and which sets the total 2009 assessment on property at \$1,272,000; and the Township Committee of the Township of Hillsborough leaves the allocation between land and improvements of the aforesaid tax assessments to the Hillsborough Township Tax Assessor's discretion, with the direction that the same be set as to be most beneficial to the Township; which further provides that the Taxpayer, its successors and assigns, and the Township agree to waive any rights they may have to file an appeal of the 2009 assessment of the property at Block 198, Lot 5.B if the total tax assessment for the 2009 tax year is set by the Tax Assessor at \$1,272,000.00, and Plaintiff agrees that it will affirmatively notify any successors, assigns, tenants, and/or other parties in interest of the terms hereof; which further provides that the Taxpayer acknowledges that the Township has entered into this Settlement in part in consideration for this 2009 tax year tax appeal waiver; which further provides that the Taxpayer will represent that there has not been any contract entered into to sell the Property, that no sale of the property is contemplated before January 10, 2009, that in the event, before January 10, 2009, the property is sold for more than \$2,105,600.00, (the equalized value of the 2009 agreed upon \$1,272,000 assessment), then the Tax Assessor may adjust the 2009 assessment to reflect the equalized value of said sale, and if the Tax Assessor does not adjust the assessment to reflect the equalized value of such a sale, if any, then the Township may file a tax appeal in 2009;
2. The aforesaid settlement has no general application to other properties within the Township of Hillsborough as a result of the aforesaid specific fact situation.
3. The Township Council of the Township of Hillsborough will make this settlement with CHARBBIE, Inc, without prejudice to its dealings with any other Hillsborough Township taxpayer's request for tax assessment reduction.

11. Resolution approving the purchase of Dell Computer Equipment, under State Contract, in the amount of \$5,989.86.

WHEREAS, the Information Technology Director has determined a need for one (1) Dell Latitude E6500 Laptop Computer from Dell Marketing, L.P., for a total amount not to exceed \$2,022.12; and

WHEREAS, these products will be purchased under New Jersey State Contract #70256; and

WHEREAS, the Information Technology Director has determined a need for two (2) Dell Latitude E531 Laptop Computers for the purpose of on-line Recreation program registrations from Dell Marketing, L.P., for a total amount not to exceed \$1531.32; and

WHEREAS, these products will be purchased under New Jersey State Contract #70256; and

WHEREAS, Hillsborough Township Police Department has determined a need for the following products from Dell Marketing, L.P.:

- One (1) Dell Optiplex 755, in a total amount not to exceed \$815.88;
- One (1) Dell Laser Printer 1720DN, in an amount not to exceed \$293.42;

- One (1) Dell Laser Printer 1320C with accessories, in an amount not to exceed \$635.12;
- One (1) Dell Laser Printer 1320C with USB cables, in an amount not to exceed \$324.00;
- Two (2) Dell Laser Printers 1720 with USB cables, in a total not to exceed \$368.00;

WHEREAS, these products will be purchased under New Jersey State Contract #70256; and

WHEREAS, funds are available to make such purchases or acquisitions 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 hereby approves the purchase through state contract of the aforementioned products from Dell Marketing L.P., in a total amount of \$5,989.86.

12. Resolution approving the purchase of Computer Equipment from GovConnection, under State Contract, in the amount of \$6,518.73.

WHEREAS, the Information Technology Director has determined the need for the following computer equipment from GovConnection:

- One (1) HP Laser Printer P4014, in an amount not to exceed \$799.00;
- Two (2) HP Laser Printers P3005, in a total not to exceed \$1,090.00;
- Twenty (20) Memory Upgrades, in a total not to exceed \$520.00;

WHEREAS, these products will be purchased under New Jersey State Contract #70262; and

WHEREAS, Hillsborough Township Police Department has determined a need for the following computer equipment from GovConnection:

- One (1) HP Laser Printer 4240, in an amount not to exceed \$699.00;
- One (1) Back Up Executive Software for Police Department Server, in an amount not to exceed \$1,393.00;
- Nine (9) HP Laser Printers P1006, in a total not to exceed \$1,291.00;
- One (1) HP Laser Printer CM1312 with accessories, in a total not to exceed \$726.73;

WHEREAS, these products will be purchased under New Jersey State Contract #70262; and

WHEREAS, funds are available to make such purchases or acquisitions 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 hereby approves the purchase through state contract of the aforementioned products from GovConnection in a total amount of \$6,518.73.

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

CLAIMS LIST

Mayor Ferrera presented Claims List 2008-22

Upon motion by Committeeman Wager, seconded by Committeeman Suraci, Claims List 2008-22 was unanimously approved upon call of the roll.

ADJOURNMENT

Upon motion by Committeeman Wagner, seconded by Committeeman Suraci, the meeting duly adjourned 8:37 p.m., said motion carried unanimously upon voice vote.

Attested:

Kevin P. Davis, RMC, QPA
Township Clerk