

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. Also, in attendance were Township Attorney Albert E. Cruz, Township Administrator/Clerk Kevin P. Davis and Administrative Assistant, Mary Ann Balancia. Mayor DelCore was absent.

Following Roll Call and Salute to the Flag, Deputy Mayor Wagner 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 December 8, 2009.

#### APPOINTMENTS/PROCLAMATIONS

- *Proclamation honoring the Hillsborough Rescue Squad for being named the 2009 Outstanding Public EMS Agency by the New Jersey Office of Emergency Medical Services*

Deputy Mayor Wagner said Hillsborough's Rescue Squad has been named the Outstanding Public Emergency Medical Service Agency by the New Jersey Office of Emergency Medical Services for 2009.

Deputy Mayor Wagner said we are pleased to have with us tonight to present the award Hillsborough's former Mayor and the current Deputy Commissioner of the New Jersey Department of Health and Senior Services, the honorable Dr. Joseph Tricarico.

Deputy Mayor Wagner asked the Rescue Squad members and Dr. Tricarico to join us at the front.

Dr. Tricarico said Hillsborough service area covers 40,00 people spread over 54.7 square miles with two stations, seven ambulances, two rescue trucks, three special operation vehicles, four boats and a staff of over 100 people paid and volunteered.

Dr. Tricarico said this agency is more than just their equipment and the area they serve, this agency has a passion for education. For three years they have trained school personnel to be CERT members, over 130 school personnel are now CERT members and the two organizations work together. They have a goal this year to train 800 to 900 people in CPR. They have partnered with the local school district so that all 11<sup>th</sup> graders are trained in CPR and AED use.

Dr. Tricarico said every member of this organization is dedicated to providing the community and the school district with the training and resources necessary to be prepared for emergency situations.

Dr. Tricarico said for all these reasons the New Jersey Department of Health and Senior Services, Office of Emergency Medical Services is proud to present the 2009 Outstanding Public EMS Agency Award to Hillsborough EMS.

*WHEREAS, Hillsborough is recognized as having one of the premier EMS agencies in New Jersey as evidenced by the 2009 "Outstanding Public EMS Agency" award presented by the New Jersey State Department of Health, Office of Emergency Medical Services; and*

*WHEREAS, the Hillsborough Rescue Squad, founded in May 1955 with 15 charter members, now has over 100 members, making it one of the largest EMS agencies in the State of New Jersey; and*

*WHEREAS, the Hillsborough Rescue Squad continues to demonstrate outstanding performance, including national recognition as the winner of the "Rescue of the Year, 4<sup>th</sup> Quarter 2002" award, presented by Hurst Jaws of Life; and*

*WHEREAS, other awards from the New Jersey State Department of Health include "Public EMS Provider of the Year" presented in 2004 and "Outstanding EMS Administrator" presented to Chief David Gwin in 2008; and*

*WHEREAS, the Hillsborough Rescue Squad is an American Heart Association Training Site and provides CPR training for hundreds of people every year; and*

*WHEREAS, the Hillsborough Rescue Squad works with the Hillsborough Township Public Schools to enhance school safety and has provided CERT training to over 100 administrators, teachers and other staff members; and*

*WHEREAS, countless lives had been saved due to the skill and dedication of Hillsborough Rescue Squad members and our community is a safer place because of them.*

*NOW, THEREFORE, BE IT PROCLAIMED, that we, the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey do hereby congratulate the Hillsborough Rescue Squad for recently being named the 2009 Outstanding Public EMS Agency by the New Jersey State Department of Health, Office of Emergency Medical Services.*

*BE IT FURTHER PROCLAIMED that we hereby recognize that these accomplishments are a testament to the high standards of our Rescue Squad and we express our gratitude for the professionalism of these men and women, who put their lives on the line to make our community a better place.*

- *Proclamation honoring Jr. Raiders Division III Super Bowl Champions*

*WHEREAS, the Hillsborough Jr. Raider Division III Notre Dame Fighting Irish Football Team has ended their season as Super Bowl Champions with a record of 8 – 1; and*

*WHEREAS, in the fourth game of the season, the Fighting Irish defeated a talented West Virginia Team 19 – 18 in a thrilling overtime win that featured 6 lead changes and went on to finish their impressive season with 6 straight wins and a Division III Championship; and*

*WHEREAS, the Fighting Irish fought back after a 13 – 7 halftime deficit against a very physical Pitt Panther squad and scored the winning touchdown with under 8 minutes to play on route to their hard fought Division III Championship; and*

*WHEREAS, Fighting Irish Head Coach Jim Burke and his excellent coaching staff worked tirelessly with their great group of players stressing the importance of good technique, playing with ATTITUDE and taking PRIDE in how they perform on every snap of the ball; and*

*WHEREAS, with 5 minutes remaining in the Championship Game with the score 14 – 13 in favor of the Irish coach Jim called on the Gold Offense , a group of younger less experienced players, to battle the tough Pitt defense and bring the team home to victory.*

*NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Township Committee of the Township of Hillsborough, do hereby commend all of the members of the Hillsborough Jr. Raiders Division III 2009 Notre Dame Football Team, the Fighting Irish, not only for the awards they have won, but also for their unwavering teamwork and sportsmanship throughout the season.*

*BE IT FURTHER PROCLAIMED that we, the Mayor and the Township Committee, further commend the Fighting Irish for the honor that they have brought to themselves, their team and our community through their many achievements.*

### **APPROVAL OF MINUTES**

- *Approval of the November 24, 2009 Executive Session Minutes*

Upon motion by Committeewoman McCauley, seconded by Committeeman Ferrera, the minutes of the November 24, 2009 Executive Session were unanimously approved upon the call of the roll.

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

#### **Committeeman Ferrera**

Committeeman Ferrera said former Captain Warner Quabeck passed away on December 5, 2009. There will be a memorial service on December 19, 2009 at 2:00 p.m. at Faith Lutheran Church in Easton, PA.

Committeeman Ferrera said we received a grant for \$15,000 for the Individual's Disabilities Grant that will help fund our Inclusive Recreation Specialist, Vanessa Fowler, who works with all the families in town. Committeeman Ferrera said all of our programs are inclusive, meaning, all children, whether typical or special needs, can participate in the same programs.

#### **Committeewoman McCauley**

Committeewoman McCauley said we had our last EBDC meeting at Café Graziella.

Committeewoman McCauley said there was an article in NJ Biz about Hillsborough's Economic Plan and how we are helping businesses move forward. The Committeewoman said we are very proud to have Hillsborough mentioned as part of the Economic Action Plan.

Committeewoman McCauley stated, she spoke to Social Services today and she wanted to remind the public that there are families in need and this is a time of giving and sharing. Committeewoman McCauley said if anyone would like to help please check the Township website or call the Social Services Department.

Committeeman Suraci

Committeeman Suraci reported on the recent notice by the State of New Jersey that the consolidated municipal aid that was committed to by the state in July, will be reduced by approximately \$22,000.

Committeeman Suraci said we should be thankful the reduction wasn't greater.

Committeeman Suraci said we recognize there are extreme and unusual financial pressures on the state and that Hillsborough is not the only community, nor is state aid the only program facing a new, extraordinary round of cuts.

Committeeman Suraci said however, because of our careful, conservative approach to local finances, Hillsborough will be able to absorb the reduction without impacting on any budget programs at this time.

Committeeman Suraci said it is in fact, due to our protection of reserves, reduction of debt, freezing or reducing of expenditures in this year's budget, and reduction of the number of full time employees, that we are able to ensure that there are available funds for just such an occurrence as the state breaking their legal commitment to providing municipal aid.

Committeeman Suraci said we are concerned about how this cut will be handled by the state in 2010 and whether we will see more municipal aid reductions in the next budget. Regardless of state actions, here in Hillsborough we will continue our business-like approach to local finances which benefits our taxpayers.

Deputy Mayor Wagner

Deputy Mayor Wagner reported on the Tree Lighting ceremony and thanked the Women's Club for their help.

Deputy Mayor Wagner said the ceremonial Menorah Lighting, sponsored by the Chabad Center for Jewish Life, celebrating Hanakuh, will be from 3 to 5 pm on Sunday, December 13<sup>th</sup> at the Municipal Complex. The celebration begins at 3 pm in the Multi-purpose room and the Menorah Lighting will be at 4:45 pm. All are welcome and the Chabad encourages participants to bring can goods as a donation to the Township food pantry.

Deputy Mayor Wagner announced that we have a presentation by Gibraltar Rock of Belle Mead at the former 3M quarry in Hillsborough.

**NEW BUSINESS**

- *Presentation by Gibraltar Rock of Belle Mead*

Deputy Mayor Wagner said Gibraltar Rock of Belle Mead at the former 3M Quarry in Hillsborough is now owned and operated as part of the Silvi Group Companies.

The Deputy Mayor said activities at the quarry are always of interest in the Township and we are pleased to have representatives of the company here with us tonight to make a presentation in order to keep the public informed of their plans and operations.

Deputy Mayor Wagner welcomed John Silvi and Uday Pantankar of the Silvi Group for tonight's presentation.

Mr. Silvi and Mr. Pantanker gave a power-point presentation on Gibraltar Rock Belle Mead. They spoke of serving the needs of the market and the community, achieving and maintaining full regulatory compliance, proactively relating to the community and being a good neighbor. Mr. Silvi also spoke of their early accomplishments, their short term plans and future improvements.

Deputy Mayor Wagner thanked them for their presentation.

Committeeman Ferrera welcomed their involvement in the community.

## **PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA**

### **PUBLIC HEARINGS**

**Ordinance 2009-36 An Ordinance amending Chapter 221, Titled "Parks and Recreation Areas" of the code of the Township of Hillsborough, by adding Article III, titled "Enforcement of Somerset County Park Commission Rules and Regulations."**

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

1. Chapter 221, titled "Parks and Recreation Areas" of the Code of the Township of Hillsborough, is amended by adding a new Article III, titled "Enforcement of Somerset County Park Commission Rules and Regulations" as follows:

§221-22. The Somerset County Park Commission Rules and Regulations governing real property situated in the Township of Hillsborough under the jurisdiction of the Somerset County Park Commission is hereby adopted by reference as if fully set forth herein. Such Rules and Regulations may hereinafter be amended by the Somerset County Park Commission and those amendments are hereby adopted as if fully set forth herein.

§221-23. The Township of Hillsborough Police Department is hereby empowered to enforce the Somerset County Park Commission Rules and Regulations on behalf of the Somerset County Park Commission on real property situated in the Township of Hillsborough, Somerset County, which is under the jurisdiction of the Somerset County Park Commission. In addition, the Police Department is also empowered to enforce the Code of the Township on the Somerset County Park Commission properties.

§221-24. In the event that an ambiguity exists between the Code of the Township and a Rule or Regulation of the Somerset County Park Commission,

that ambiguity will be resolved in favor of the Code of the Township. In the further event that a conflict exists between the Code of the Township and a Rule or Regulation of the Somerset County Park Commission, the Rule or Regulation of the Somerset County Park Commission shall take precedence.

§221-25 Violations and Penalties. Any person violating any of the provisions of this Chapter shall upon conviction thereof be fined in accordance with Section 1-15 of the Code of the Township of Hillsborough.

2. This Ordinance shall take effect immediately upon its final passage and publication according to law.

Committeeman Ferrera moved to open the public hearing on Ordinance 2009-36. Said motion was seconded by Committeewoman McCauley and carried unanimously upon call of the roll.

Deputy Mayor Wagner said at the request of the Somerset County Park Commission and recommended by Hillsborough's Police Chief, this ordinance establishes the Police Department's authority to enforce both Township ordinances and County Park Commission rules and regulations on County park land in Hillsborough.

Committeeman Suraci moved to close the public hearing on Ordinance 2009-36. Said motion was seconded by Committeeman Ferrera and carried unanimously upon call of the roll.

Committeeman Ferrera moved to adopt Ordinance 2009-36. Said motion was seconded by Committeeman Suraci and carried unanimously upon call of the roll.

**Ordinance 2009-37 An Ordinance amending Chapter 309 titled "Garbage, Rubbish and Refuse" of the code of the Township of Hillsborough, County of Somerset, State of New Jersey, by adding a new Article V titled "Refuse Containers/Dumpsters."**

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

Section 1. Chapter 309 of the Code of the Township of Hillsborough shall be amended by adding a new Article V titled "Refuse Containers/Dumpsters" as follows:

ARTICLE V

**REFUSE CONTAINERS/DUMPSTERS**

**309-25. Purpose:**

**The purpose of this Article is to require dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system operated by the**

**Township of Hillsborough and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.**

**309-26. Definitions:**

For the purpose of this Article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Township of Hillsborough or other public body, and is designed and used for collecting and conveying stormwater.

b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

c. Refuse container – any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

d. Stormwater – means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

e. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

**309-27. Prohibited Conduct:**

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system operated by the Township of Hillsborough.

**309-28. Exceptions to Prohibition:**

- a. Permitted temporary demolition containers.
- b. Litter receptacles (other than dumpsters or other bulk containers).
- c. Individual homeowner trash and recycling containers.

d. Refuse containers at facilities authorized to discharge stormwater under a valid New Jersey Pollution Discharge Elimination Systems permit.

e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup).

**309-29. Enforcement:**

This Article shall be enforced by the Health Officer of the Township of Hillsborough.

**309-30. Penalties:**

Any person who is found to be in violation of the provisions of this Article shall be subject to a fine not to exceed \$2,000.00.

**309-31. Severability:**

Each section, subsection, sentence, clause and phrase of this Article is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Article to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Article.

**309-32. Effective date:**

This Article shall be in full force and effect from and after its adoption and any publication as may be required by law.

Committeewoman McCauley moved to open the public hearing on Ordinance 2009-37. Said motion was seconded by Committeeman Suraci and carried unanimously upon call of the roll.

Deputy Mayor Wagner said this ordinance and the following one, 2009-38, are required by stormwater management regulations from the state DEP.

Deputy Mayor Wagner said as he noted at the time of introduction of both ordinances, the NJDEP reminds us that the stormwater pollution prevention regulations are designed to clean up water runoff that finds its way into streams and ultimately impacts on drinking water. Ordinance 37 requires all outdoor dumpsters and other refuse containers to have lids, in order to prevent spillage, leakage, or discharge.

Deputy Mayor Wagner also noted at the time of introduction, homeowner trash and recycling containers, local litter receptacles and temporary demolition containers are exempt from the requirements.

Committeeman Suraci moved to close the public hearing on Ordinance 2009-37. Said motion was seconded by Committeeman Ferrera and carried unanimously upon call of the roll.

Committeeman Suraci moved to adopt Ordinance 2009-37. Said motion was seconded by Committeewoman McCauley and carried unanimously upon call of the roll.

**Ordinance 2009-38 An Ordinance amending Chapter 262 titled "Stormwater Control" of the code of the Township of Hillsborough, County of Somerset, State of New Jersey, by adding a new Article V titled "Private Storm Drain Inlet Retrofitting."**

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

**Section 1.** Chapter 262 of the Code of the Township of Hillsborough shall be amended by adding a new Article V titled "Private Storm Drain Inlet Retrofitting" as follows:

**ARTICLE V**

**PRIVATE STORM DRAIN INLET RETROFITTING**

**262-30. Purpose:**

The purpose of this Article is to require the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system operated by the Township of Hillsborough so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

**262-31. Definitions:**

For the purpose of this Article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

1. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Township of Hillsborough or other public body, and is designed and used for collecting and conveying stormwater.
2. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
3. Storm drain inlet - an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
4. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

**262-32. Prohibited Conduct:**

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a

thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. *Already meets the design standard below to control passage of solid and floatable materials; or*
2. *Is retrofitted or replaced to meet the standard in 262-33 below prior to the completion of the project.*

**262-33. Exceptions to Prohibition:**

Storm drain inlets identified in 262-32 above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 262-33(3) below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
  - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
  - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
3. This standard does not apply:
  - a. Where the Township of Hillsborough engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
  - b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
    - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
    - ii. A bar screen having a bar spacing of 0.5 inches.
  - c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or
  - d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-

7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

**262-34. Enforcement:**

This Article shall be enforced by the Engineering Department of the Township of Hillsborough.

**262-35. Penalties:**

Any person who is found to be in violation of the provisions of this Article shall be subject to a fine not to exceed \$2,000.00 for each storm drain inlet that is not retrofitted to meet the design standard.

**262-36. Severability:**

Each section, subsection, sentence, clause and phrase of this Article is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Article to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Article.

**262-37. Effective date:**

This Article shall be in full force and effect from and after its adoption and any publication as may be required by law.

Committeewoman McCauley moved to open the public hearing on Ordinance 2009-38. Said motion was seconded by Committeeman Suraci and carried unanimously upon call of the roll.

Deputy Mayor Wagner said Ordinance 38 requires that when re-paving is done for any parking area where there is a stormwater inlet, the inlet must be retrofitted to ensure that solid material cannot enter the stormwater system. This rule by the state has already been in place for the Township for several years. Whenever there is a road paving project the storm drain inlets on the roadways to be paved must be retrofitted with the appropriate grates. The state has now extended that requirement to private parking lots.

Deputy Mayor Wagner said this ordinance does not impact on single family homeowners.

Committeewoman McCauley said she recognizes that the Township must comply with the stormwater management regulatory requirements or else we could face fines for non-compliance, however, these regulations are exactly the kind of mandates where Governor-elect Christie's red tape review group should focus, because they drive up cost for businesses and local government.

Committeewoman McCauley moved to close the public hearing on Ordinance 2009-38. Said motion was seconded by Committeeman Ferrera and carried unanimously upon call of the roll.

Committeeman Suraci moved to adopt Ordinance 2009-38. Said motion was seconded by Committeewoman McCauley and carried unanimously upon call of the roll.

**Ordinance 2009-39    An Ordinance authorizing acceptance for the responsibility of Render Drive and the Royce Brook Footbridge which are located at the entrance to Hillsborough Point, a condominium, and along Route 206, from the Hillsborough Point Condominium Association, Inc.**

**WHEREAS**, the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, wishes to accept responsibility for the care and maintenance of Render Drive and the Royce Brook Footbridge which are located at the entrance to Hillsborough Point, A Condominium, and along Route 206, from the Hillsborough Point Condominium Association, Inc.; and

**WHEREAS**, the Township's acceptance of Render Drive is limited to that portion of Render Drive which connects Radier Boulevard to the loop road within Hillsborough Point, A Condominium, and the Township does not accept responsibility for any portion of the roads or driveways within Hillsborough Point, A Condominium, with those roads and driveways remaining the sole responsibility of Hillsborough Point Condominium Association, Inc., or the individual unit owners; and

**WHEREAS**, the purpose of this acceptance is to satisfy conditions of a Tri-Party Agreement, dated September 23, 2009, entered into between Hillsborough Point Condominium Association, Inc., Pulte Homes of NJ, Limited Partnership, and the Township of Hillsborough; and

**WHEREAS**, the Hillsborough Point Condominium Association, Inc., will continue to be responsible for the repair, maintenance and care of the Royce Brook Sidewalk but not the Royce Brook Footbridge; and

**WHEREAS**, the Township Attorney for the Township of Hillsborough has reviewed the Tri-Party Agreement 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 for the responsibility for a portion of Render Drive and the Royce Brook Footbridge which are located at the entrance to Hillsborough Point, A Condominium, and along Route 206, from the Hillsborough Point Condominium Association, Inc., but does not accept or take responsibility for the roads or driveways within Hillsborough Point, A Condominium, and the Royce Brook Sidewalk which remains the responsibility of the Hillsborough Point Condominium Association, Inc.

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

Committeeman Suraci moved to open the public hearing on Ordinance 2009-39. Said motion was seconded by Committeeman Ferrera and carried unanimously upon call of the roll.

Deputy Mayor Wagner said at a previous meeting the Township Committee approved a three way agreement between the Township, the Hillsborough Point Homeowners Associations and the builder of that development, Pulte Homes. As part of that agreement and the Planning Board approval for the development approved in 2001, the Township will take responsibility for Render Road and the Royce Brook footbridge.

Deputy Mayor Wagner said should this ordinance be adopted, the Township will be in a position to release Pulte Homes from their performance bonds that have been held for seven years.

Committeeman Suraci moved to close the public hearing on Ordinance 2009-39. Said motion was seconded by Committeewoman McCauley and carried unanimously upon call of the roll.

Committeeman Suraci moved to adopt Ordinance 2009-39. Said motion was seconded by Committeewoman McCauley and carried unanimously upon call of the roll.

**Ordinance 2009-40 An Ordinance amending Ordinance 2008-27 entitled "Authorizing the execution or acknowledgement and delivery of certain agreements in connection with the Somerset County Improvement Authority's Somerset Municipal Banc Program."**

**WHEREAS**, there are funds available in the Ordinance 2008-27; and

**WHEREAS**, the Emergency Rescue Vehicle and related Equipment for which these funds were appropriated have been purchased; and

**WHEREAS**, no further expenditures for the Emergency Rescue Vehicle and related Equipment will be made with these remaining funds; and

**WHEREAS**, there is a need for the following additional equipment for the Emergency Rescue Vehicle:

- 1) XTL 25 VHF Radio including installation
- 2) XTL 2500 UHF Radio including installation

**WHEREAS**, these additional items will not exceed the balance of \$11,103.34.

**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 Ferrera moved to open the public hearing on Ordinance 2009-40. Said motion was seconded by Committeeman Suraci and carried unanimously upon call of the roll.

Deputy Mayor Wagner said this action amends the 2008 ordinance authorizing funding for the purchase of the Rescue Vehicle for use by the Hillsborough Rescue Squad, to allow funds to be allocated for the purchase of radio equipment to be used in conjunction with the vehicle.

Deputy Mayor Wagner said when the original approval was made in 2008, the radio equipment was eliminated because there were not sufficient funds at that time. However, the cost of construction of the vehicle was well managed, resulting in an \$11,000 savings below the original cost estimate and financing. Those cost savings can now be applied for the needed radio equipment. This action results in no additional costs to the Township.

Committeeman Suraci moved to close the public hearing on Ordinance 2009-40. Said motion was seconded by Committeeman Ferrera and carried unanimously upon call of the roll.

Committeeman Suraci moved to adopt Ordinance 2009-40. Said motion was seconded by Committeewoman McCauley and carried unanimously upon call of the roll.

### INTRODUCTION OF NEW ORDINANCES

- None at this time.

### CONSIDERATIONS

Mayor DelCore offered the following resolution:

1. Resolution confirming the action of the Township Administrator/Clerk and Chief Financial Officer to roll over bond anticipation notes in the amount of \$2,492,945.

**WHEREAS**, Bond Anticipation Notes originally issued on December 16, 2002 for the Library construction and various other capital projects needs to be rolled over annually. Said Notes were last rolled over on December 12, 2008; and

**WHEREAS**, NJSA: 40A:2-8 requires that principal pay downs be made commencing on the third anniversary date of the original issue with complete payoff no later than the tenth anniversary date, and

**WHEREAS**, funds were appropriated in the 2009 budget to pay down \$856,253 of the original note issue; and

**WHEREAS**, the total amount of the note rollover was \$2,492,945 and the Township has received a 1.50% interest rate from TD Securities which is lower than last year's rate of 2.25%; and

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the action of the Township Administrator/Clerk and the Chief Financial Officer hereby confirms the roll over of the Bond Anticipation Note in the amount of \$2,492,945 at a interest rate of 1.50% to the low bidder TD Securities.

Deputy Mayor Wagner said this action is a reduction of the Township's bond anticipation note by \$800,000 from \$3.35 million last year to just less than \$2.5 million this year. At a new one year interest rate of less than 1%, actually .88 of 1 percent, interest will be \$22,000. Last year the interest payment was \$64,000 and just two years ago, the interest was \$132,000. This is proof positive that debt reduction works for the taxpayers. It not only reduces costs, it puts the Township in a position to engage in the valuable financing opportunities that we will address next on the agenda, with no impact on taxes.

Committeeman Suraci said first of all this Bond Anticipation Note, which is really short term financing that must be renewed annually, is for the construction costs of the Library, approved in 2002, and for lights at Docherty Park and some other recreational improvements approved in 2001.

Committeeman Suraci explained that through the debt reduction plan initiated in 2006, we have been paying that debt down without resorting to long term bonded debt and the attendant high interest costs. So there is a significant savings there to the taxpayers.

Committeeman Suraci said additionally, as noted, as we knock down the principal of the debt, we also reduce the annual interest costs, a further savings to taxpayers.

Committeeman Suraci said we spoke earlier regarding the business like, conservative approach we take to local finances, as having put us in a good position to weather the problem of the state aid reduction; our debt reduction plan is one of the key components of that fiscally responsible approach.

Committeeman Suraci said he also understands that our CFO was able to obtain competitive quotes from seven financial entities and that TD Securities was the lowest at .88 of 1%. That is an outstanding effort by Ms. Haberle, on behalf of our taxpayers.

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

Deputy Mayor Wagner said the Township recently received good news from the New Jersey Environmental Infrastructure Trust that low interest financing has been approved for the Claremont sewer project, the related road paving project, and for the salt storage facility required by state stormwater regulations.

Deputy Mayor Wagner explained that the financing interest rate for these projects will be less than 2% for the entire repayment life of all three projects, thanks to federal stimulus funding. The projects can be funded over 19 years which will significantly reduce budget impacts from the road paving and salt storage facility costs.

Deputy Mayor Wagner said the Claremont sewer project is funded through special assessment payments by the benefiting property owners, who will see a savings of nearly \$1.5 million in interest costs.

The Deputy Mayor said we are most appreciative to Assemblyman Peter Biondi and his colleagues Senator Bateman and Assemblywoman Coyle for their support of these projects and their help in gaining priority status for them.

Deputy Mayor Wagner stated that the next six resolutions are the necessary actions by the Township that are needed to finalize the financing.

2. Resolution determining the form and other details of not exceeding \$5,775,000 special assessment bonds, series 2010, of the Township of Hillsborough, in the County of Somerset, New Jersey, and providing for their sale to the New Jersey Environmental Infrastructure Trust and the State of New Jersey pursuant to the fiscal year 2010 New Jersey Environmental Infrastructure Trust Financing Program (sewers).

**WHEREAS**, the Township of Hillsborough (the "Local Unit"), in the County of Somerset, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, or install the Project (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the Fiscal Year 2010 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

**WHEREAS**, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

**WHEREAS**, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Special Assessment Bonds, Series 2010A, to the Trust in an aggregate principal amount not to exceed \$1,735,000 (the "Trust Loan Bond") and Special Assessment Bonds, Series 2010B, to the State in an aggregate principal amount not to exceed \$4,600,000 (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") (the combined aggregate amount of the Trust Loan Bond and the Fund Loan Bond shall not exceed \$5,775,000) pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

**WHEREAS**, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

**Section 1.** In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its (a) Trust Loan Bond in an aggregate principal amount not to exceed \$1,735,000 to the Trust in accordance with the provisions hereof and (b) Fund Loan Bond in an aggregate principal amount not to exceed \$4,600,000 to the State in accordance with the provisions hereof (the combined aggregate amount of the Trust Loan Bond and the Fund Loan Bond shall not exceed \$5,775,000). The Local Unit Bonds have been referred to and are described in bond ordinances of the Local Unit, which bond ordinances are entitled "AN ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET, NEW JERSEY, PROVIDING FOR THE INSTALLATION OF SANITARY SEWER SYSTEM AND OTHER RELATED EXPENSES IN AND FOR THE TOWNSHIP OF HILLSBOROUGH AND APPROPRIATING \$600,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$570,000 IN BONDS OR NOTES OF THE TOWNSHIP OF HILLSBOROUGH TO FINANCE THE SAME AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF" and was finally adopted by the Local Unit at a meeting duly called and held on December 11, 2007, "AN ORDINANCE AMENDING ORDINANCE 2007-43 OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET, NEW JERSEY, PROVIDING FOR THE INSTALLATION OF SANITARY SEWER

SYSTEM IN THE CLAREMONT AREA AND OTHER RELATED EXPENSES IN AND FOR THE TOWNSHIP OF HILLSBOROUGH AND APPROPRIATING \$600,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$570,000 IN BONDS OR NOTES OF THE TOWNSHIP OF HILLSBOROUGH TO FINANCE THE SAME AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF" and was finally adopted by the Local Unit at a meeting duly called and held on April 14, 2009, "AN ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET, NEW JERSEY, AMENDING ORDINANCE 2007-43 AS PREVIOUSLY AMENDED BY ORDINANCE 2008-45, PROVIDING FOR THE INSTALLATION OF SANITARY SEWER SYSTEM AND OTHER RELATED EXPENSES IN AND FOR THE TOWNSHIP OF HILLSBOROUGH AND APPROPRIATING \$5,805,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$5,775,000 IN BONDS OR NOTES OF THE TOWNSHIP OF HILLSBOROUGH TO FINANCE THE SAME AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF" and was finally adopted by the Local Unit at a meeting duly called and held on April 28, 2009, at which times a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

**Section 2.** The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued, which shall be determined by the Trust and State accordingly, subject to the limitations in Section 1 hereof.
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Local Unit Bonds, which shall not be later than June 30, 2010.
- (d) The interest rates of the Local Unit Bonds, which in the case of the Trust Loan Bond, shall not exceed 6% and in the case of the Fund Loan Bond shall be 0%.
- (e) The purchase price for the Local Unit Bonds, which shall be determined by the Trust and State accordingly, but which shall not exceed 110% of the principal amount thereof.
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities, which shall be determined by the Trust and Fund accordingly, but at prices not to exceed 103% of the principal amount thereof.
- (g) Any change in series designation of the Local Unit Bonds, including the combination of series of Local Unit Bonds.

**Section 3.** Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

**Section 4.** The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-T1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-F1;

(b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and

(c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

**Section 5.** The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

**Section 6.** The law firm of GluckWalrath LLP is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

**Section 7.** The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be determined by a certificate by Chief Financial Officer on or before the date of issuance of the Local Unit Bonds or shall be ratified by the affirmative vote of 2/3 of the full membership of the governing body of the Local Unit.

**Section 8.** The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

**Section 9.** This resolution shall take effect immediately.

**Section 10.** Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to GluckWalrath LLP, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Deputy Mayor Wagner said this approves EIT financing of \$5.775 million in special assessment bonds for the Claremont sewer project. That is a maximum amount. The actual total cost is expected to be less. Once construction bids are received, the Township will gain a more complete idea of the overall cost of the project.

Deputy Mayor Wagner said again the interest rate will be less than 2% which is a savings of about \$7000 in interest costs for the special assessment payers. There is no cost to taxpayers as the entire project is funded through the special assessment on the benefiting property owners. With the financing in place, the Township can now move forward on the construction bid for the sewer project.

Deputy Mayor Wagner said bids will be advertised in the Beacon on December 24, received on January 13<sup>th</sup> and awarded as soon as possible thereafter. After the contract is awarded, sewer construction will begin.

Committeeman Ferrera said he is pleased that the Claremont sewer project can finally move forward. We have been working on this since 2004.

Committeeman Ferrera reviewed the approval process for this project. First the Township had to gain the Claremont area's admission into the state's wastewater management plan. The Committeeman said you cannot build sewers if your area is not in the plan. Initially the DEP turned down the inclusion of the area in the wastewater plan.

Committeeman Ferrera said the Township responded by making a direct appeal to the Commissioner stressing the public health nature of this project. It took a great deal of effort with the DEP, but we ultimately succeeded.

Committeeman Ferrera said that a special assessment agreement needed to be signed by a substantial number of area property owners. That has been accomplished.

Committeeman Ferrera said the Engineers had to create preliminary plans and work with the Hillsborough MUA to ensure the sewer plans meet the requirements of the MUA. Draft plans had to be approved by DEP. Permits had to be sought from DEP, the County Soil Conservation District, the Delaware and Raritan Canal Commission, and several other bureaucracies. The Engineers needed to then develop final plans and bid specifications which required approval by the Hillsborough MUA, the Somerset Raritan Valley Sewer Authority and the DEP. Then the Township needed to gain a treatment works approval permit from DEP which is the most significant and final permit.

Committeeman Ferrera said along the way we became aware of the potential of low interest financing through the Environmental Infrastructure Trust that would benefit the property owners who will be paying the special assessment. That took several rounds of submissions and initially the EIT determined the Claremont project was a low priority.

Committeeman Ferrera said the Township sought the help of Assemblyman Biondi and his colleagues. They were able to ensure that the EIT became more aware that this sewer project will protect the public health and the environment. Finally, the EIT upgraded the priority status of the project. Then the NJDEP needed to approve an Environmental Decision Document and approve the bidding dates. And finally, here we are.

Committeeman Ferrera stated that the construction of a sanitary sewer system in the Claremont area will benefit the property owners, protect the public health and the environment. It is one of those projects that can be done for the people that makes serving in local government very worthwhile.

Committeeman Ferrera thanked the Township Committee for staying committed to this project.

Committeeman Ferrera thanked Mr. Davis for fielding the many calls from residents on a daily basis for the past five years.

Committeeman Ferrera thanked Mr. Cruz for all his hard work and reviewing all contracts.

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

- 2a. Resolution authorizing the execution and delivery of loan agreements to be executed by the Township of Hillsborough and each of the New Jersey Environmental Infrastructure Trust and the State of New Jersey, acting by and through the Department of Environmental Protection, and further authorizing the execution and delivery of an escrow agreement, all pursuant to the fiscal year 2010 New Jersey Environmental Infrastructure Trust Financing Program (sewers).

**WHEREAS**, the Township of Hillsborough (the "Local Unit"), in the County of Somerset, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, install or refinance the Project (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the Fiscal Year 2010 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

**WHEREAS**, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

**WHEREAS**, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Township of Hillsborough Special Assessment Bonds, Series 2010A, to the Trust in an aggregate principal amount not to exceed \$1,735,000 (the "Trust Loan Bond") and Township of Hillsborough Special Assessment Bonds, Series 2010B, to the State in an aggregate principal amount not to exceed \$4,600,000 (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") (the combined aggregate amount of the Trust Loan Bond and the Fund Loan Bond shall not exceed \$5,775,000) pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

**WHEREAS**, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Local Unit Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Local Unit and the escrow agent named therein.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Local Unit as follows:

**Section 1.** The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as

determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

**Section 2.** The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

**Section 3.** This resolution shall take effect immediately.

**Section 4.** Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to GluckWalrath LLP, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Deputy Mayor Wagner said this resolution is required in order to participate in the escrow closing on the financing of the sewer special assessment bond.

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

3. Resolution determining the form and other details of not exceeding \$1,900,000 sewer utility bonds, series 2010, of the Township of Hillsborough, in the County of Somerset, New Jersey, and providing for their sale to the New Jersey Environmental Infrastructure Trust and the State of New Jersey pursuant to the fiscal year 2010 New Jersey Environmental Infrastructure Trust Financing Program (road paving).

**WHEREAS**, the Township of Hillsborough (the "Local Unit"), in the County of Somerset, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, or install the Project (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the Fiscal Year 2010 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

**WHEREAS**, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

**WHEREAS**, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Sewer Utility Bonds, Series 2010A-2, to the Trust in an aggregate principal amount not to exceed \$570,000 (the "Trust Loan Bond") and

Sewer Utility Bonds, Series 2010B-2, to the State in an aggregate principal amount not to exceed \$1,520,000 (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") (the combined aggregate amount of the Trust Loan Bond and the Fund Loan Bond shall not exceed \$1,900,000) pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

**WHEREAS**, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

**Section 1.** In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its (a) Trust Loan Bond in an aggregate principal amount not to exceed \$570,000 to the Trust in accordance with the provisions hereof and (b) Fund Loan Bond in an aggregate principal amount not to exceed \$1,520,000 to the State in accordance with the provisions hereof (the combined aggregate amount of the Trust Loan Bond and the Fund Loan Bond shall not exceed \$1,900,000). The Local Unit Bonds have been referred to and are described in a bond ordinance of the Local Unit, which bond ordinance is entitled, "AN ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET, NEW JERSEY PROVIDING FOR VARIOUS ROAD IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE TOWNSHIP OF HILLSBOROUGH AND APPROPRIATING \$1,900,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,900,000 IN BONDS OR NOTES OF THE TOWNSHIP OF HILLSBOROUGH TO FINANCE THE SAME" and was finally adopted by the Local Unit at a meeting duly called and held on April 28, 2009, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

**Section 2.** The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued, which shall be determined by the Trust and State accordingly, subject to the limitations in Section 1 hereof.
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Local Unit Bonds, which shall not be later than June 30, 2010.
- (d) The interest rates of the Local Unit Bonds, which in the case of the Trust Loan Bond, shall not exceed 6% and in the case of the Fund Loan Bond shall be 0%.
- (e) The purchase price for the Local Unit Bonds, which shall be determined by the Trust and State accordingly, but which shall not exceed 110% of the principal amount thereof.
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities, which shall be determined by the Trust and Fund accordingly, but at prices not to exceed 103% of the principal amount thereof.

- (g) Any change in series designation of the Local Unit Bonds, including the combination of series of Local Unit Bonds.

**Section 3.** Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

**Section 4.** The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

(a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-T1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-F1;

(b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and

(c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

**Section 5.** The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

**Section 6.** The law firm of GluckWalrath LLP is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

**Section 7.** The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be determined by a certificate by Chief Financial Officer on or before the date of issuance of the Local Unit Bonds or shall be ratified by the affirmative vote of 2/3 of the full membership of the governing body of the Local Unit.

**Section 8.** The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

**Section 9.** This resolution shall take effect immediately.

**Section 10.** Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to GluckWalrath LLP, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Deputy Mayor Wagner said this approves the financing for the paving of various roadways in the Claremont neighborhood. Claremont residents have been told for many years by the Township that their roads, many of which have never been paved since the development was originally built in the early 1960's, could not be paved until the sewer project is completed. Now that the sewer project will be moving ahead, the Township is taking advantage of the low interest financing available from the EIT to provide the funding for the road paving.

Deputy Mayor Wagner said we are advised that paving of the roadways cannot begin until one year after the completion of the sewer project – however, this action will put the funds for the paving in place, so there will be no delay when the time comes for the paving project. Because the repayment can take place over 19 years, the interest rate is extremely low, and there has been a substantial reduction in debt and interest, as we discussed earlier, there will be no increase in debt service from this financing.

Committeeman Ferrera said he also wanted to thank Dr. Glen Belnay for all his help.

Committeewoman McCauley said that she knows the streets in the Claremont area fairly well; Anne Street, Sunnyside, Franklin, just to name a few. The Committeewoman said she is happy for the residents that the sanitary sewer project is finally going to take place, and there will be savings for the property owners in lower interest costs, having these roads paved, after the project is completed, is long overdue and is also important.

Committeewoman McCauley said the road paving is a project that would have happened with or without the sewer project because of the age and conditions of these roadways, but now with the EIT financing, taxpayers will save substantially due to the low interest. This is a benefit for the residents in the area and the Township.

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

- 3a. Resolution authorizing the execution and delivery of loan agreements to be executed by the Township of Hillsborough and each of the New Jersey Environmental Infrastructure Trust and the State of New Jersey, acting by and through the Department of Environmental Protection, and further authorizing the execution and delivery of an escrow agreement, all pursuant to the fiscal year 2010 New Jersey Environmental Infrastructure Trust Financing Program (road paving).

**WHEREAS**, the Township of Hillsborough (the "Local Unit"), in the County of Somerset, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, install or refinance the Project (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the Fiscal Year 2010 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

**WHEREAS**, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

**WHEREAS**, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Township of Hillsborough Sewer Utility Bonds, Series 2010A-2, to the Trust in an aggregate principal amount not to exceed \$570,000 (the "Trust Loan Bond") and Township of Hillsborough Sewer Utility Bonds, Series 2010B-2, to the State in an aggregate principal amount not to exceed \$1,520,000 (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") (the combined aggregate amount of the Trust Loan Bond and the Fund Loan Bond shall not exceed \$1,900,000) pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

**WHEREAS**, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Local Unit Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Local Unit and the escrow agent named therein.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Local Unit as follows:

**Section 1.** The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

**Section 2.** The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

**Section 3.** This resolution shall take effect immediately.

**Section 4.** Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to GluckWalrath LLP, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Deputy Mayor Wagner said this resolution is required in order to participate in the escrow closing on the financing.

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

4. Resolution determining the form and other details of not exceeding \$400,000 sewer utility bonds, series 2010, of the Township of Hillsborough, in the County of Somerset, New Jersey, and providing for their sale to the New Jersey Environmental Infrastructure Trust and the State of New Jersey pursuant to the fiscal year 2010 New Jersey Environmental Infrastructure Trust Financing Program (salt storage).

**WHEREAS**, the Township of Hillsborough (the "Local Unit"), in the County of Somerset, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, or install the Project (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the Fiscal Year 2010 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

**WHEREAS**, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

**WHEREAS**, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Sewer Utility Bonds, Series 2010A-1, to the Trust in an aggregate principal amount not to exceed \$120,000 (the "Trust Loan Bond") and Sewer Utility Bonds, Series 2010B-1, to the State in an aggregate principal amount not to exceed \$320,000 (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") (the combined aggregate amount of the Trust Loan Bond and the Fund Loan Bond shall not exceed \$400,000) pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

**WHEREAS**, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** by a 2/3 vote of the full membership of the governing body of the Local Unit as follows:

**Section 1.** In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Local Unit hereby sells and awards its (a) Trust Loan Bond in an aggregate principal amount not to exceed \$120,000 to the Trust in accordance with the provisions hereof and (b) Fund Loan Bond in an aggregate principal amount not to exceed \$320,000 to the State in accordance with the provisions hereof (the combined aggregate amount of the Trust Loan Bond and the Fund Loan Bond shall not exceed \$400,000). The Local Unit Bonds have been referred to and are described in a bond ordinance of the Local Unit, which bond ordinance is entitled "AN ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET, NEW JERSEY PROVIDING FOR THE ACQUISITION AND CONSTRUCTION OF A SALT STORAGE FACILITY IN AND FOR THE TOWNSHIP OF

HILLSBOROUGH AND APPROPRIATING \$400,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$400,000 IN BONDS OR NOTES OF THE TOWNSHIP OF HILLSBOROUGH TO FINANCE THE SAME" and was finally adopted by the Local Unit at a meeting duly called and held on April 28, 2009, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

**Section 2.** The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (b) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued, which shall be determined by the Trust and State accordingly, subject to the limitations in Section 1 hereof.
- (b) The maturity and annual principal installments of the Local Unit Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Local Unit Bonds, which shall not be later than June 30, 2010.
- (d) The interest rates of the Local Unit Bonds, which in the case of the Trust Loan Bond, shall not exceed 6% and in the case of the Fund Loan Bond shall be 0%.
- (e) The purchase price for the Local Unit Bonds, which shall be determined by the Trust and State accordingly, but which shall not exceed 110% of the principal amount thereof.
- (f) The terms and conditions under which the Local Unit Bonds shall be subject to redemption prior to their stated maturities, which shall be determined by the Trust and Fund accordingly, but at prices not to exceed 103% of the principal amount thereof.
- (g) Any change in series designation of the Local Unit Bonds, including the combination of series of Local Unit Bonds.

**Section 3.** Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Local Unit Bonds by the parties authorized under Section 4(c) hereof.

**Section 4.** The Local Unit hereby determines that certain terms of the Local Unit Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-T1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-F1;
- (b) The Local Unit Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Local Unit Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

**Section 5.** The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

**Section 6.** The law firm of GluckWalrath LLP is hereby authorized to arrange for the printing of the Local Unit Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Local Unit auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Local Unit Bonds. The Mayor, the Chief Financial Officer and the Local Unit Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information.

**Section 7.** The terms of the Local Unit Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be determined by a certificate by Chief Financial Officer on or before the date of issuance of the Local Unit Bonds or shall be ratified by the affirmative vote of 2/3 of the full membership of the governing body of the Local Unit.

**Section 8.** The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Local Unit Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Local Unit Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

**Section 9.** This resolution shall take effect immediately.

**Section 10.** Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to GluckWalrath LLP, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Deputy Mayor Wagner stated that this establishes the financing for the construction of a salt storage facility at the DPW complex through the EIT at less than 2% interest. As we discussed when the application for this financing was made last April, the storage of winter salt supplies is regulated by the state stormwater management regulations.

Deputy Mayor Wagner said at the time DPW Director Buck Sixt pointed out that with the growth of roadways, in the event of several continual or back to back winter storms, the Township runs the risk of becoming short supplied on winter salt. Since the same winter weather is impacted most other municipalities in New Jersey simultaneously, there is great strain put on the few salt suppliers to meet demand. Sometimes the suppliers themselves will run out of salt.

Deputy Mayor Wagner said keeping our streets safe during the winter is one of the primary jobs of the municipality and our DPW people need the resources to do the job. The new facility will allow Hillsborough to store nearly 3600 tons of salt and put us in a position to handle any type of weather situation.

Deputy Mayor Wagner said additionally, Mr. Sixt advised, that by having significant storage capacity, the Township would be in a position to purchase some salt supplies in the non winter months, when costs are lower, thereby saving tax dollars against the higher costs in the winter when demand is higher.

The Deputy Mayor explained that the construction of the salt storage facility is not a routine capital improvement. It is really made possible by the low interest financing from the EIT and the long term payback period. Again, because of the debt reduction program, there will be no increase in debt service from this financing.

Committeeman Suraci said this is exactly the situation envisioned by the debt reduction plan, by reducing principal debt and lowering interest costs, when an opportunity for financing

at a very low rate for a very necessary capital improvement project comes along, the Township is now in the position to act without fear of increasing the debt load.

Committeeman Suraci added to some of the points the Deputy Mayor made on the salt storage facility. As it has been represented, the facility will ensure that Hillsborough is in compliance with state DEP stormwater regulations as they pertain to the storage of winter salt. By meeting those requirements, the Township avoids any future fines and penalties for non-compliance.

Committeeman Suraci said the storage facility was rated a high priority, number 10, by the Planning Board in its approval of the capital improvement plan for 2009. The extremely spartan facility will be able to store 3000 tons of salt, compared to the 600 tons currently stored at the DPW site. It is in effect a warehouse, and it will provide also coverage for the salt spreaders to protect that equipment from the weather when not in use, thereby extending the life of that equipment and saving tax dollars.

Committeeman Suraci said the facility is clearly not a routine capital improvement, but it is a valuable improvement in giving our DPW personnel the resources needed to protect our residents. It is a project that can only be considered because of the EIT low interest financing.

The Committeeman said again, because of past debt reduction, Hillsborough is in the position to engage this financing without increasing the budget's debt service.

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

- 4a. Resolution authorizing the execution and delivery of loan agreements to be executed by the Township of Hillsborough and each of the New Jersey Environmental Infrastructure Trust and the State of New Jersey, acting by and through the Department of Environmental Protection, and further authorizing the execution and delivery of an escrow agreement, all pursuant to the fiscal year 2010 New Jersey Environmental Infrastructure Trust Financing Program (salt storage).

**WHEREAS**, the Township of Hillsborough (the "Local Unit"), in the County of Somerset, New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate, install or refinance the Project (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Local Unit and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Local Unit and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the Fiscal Year 2010 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

**WHEREAS**, the Local Unit has determined to finance the acquisition, construction, renovation or installation of the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

**WHEREAS**, to evidence the Loans, each of the Trust and the State require the Local Unit to authorize, execute, attest and deliver the Local Unit's Township of Hillsborough Sewer Utility Bonds, Series 2010A-1, to the Trust in an aggregate principal amount not to exceed

\$120,000 (the "Trust Loan Bond") and Township of Hillsborough Sewer Utility Bonds, Series 2010B-1, to the State in an aggregate principal amount not to exceed \$320,000 (the "Fund Loan Bond", and together with the Trust Loan Bond, the "Local Unit Bonds") (the combined aggregate amount of the Trust Loan Bond and the Fund Loan Bond shall not exceed \$400,000) pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

**WHEREAS**, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Local Unit Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Local Unit and the escrow agent named therein.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Local Unit as follows:

**Section 1.** The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Local Unit by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit (collectively, the "Local Unit Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Local Unit Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Local Unit Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Local Unit as determined hereunder and to affix the corporate seal of the Local Unit to such Financing Documents.

**Section 2.** The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

**Section 3.** This resolution shall take effect immediately.

**Section 4.** Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to GluckWalrath LLP, bond counsel to the Local Unit, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Deputy Mayor Wagner said this resolution is required in order to participate in the escrow closing on the financing.

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

5. Resolution approving 2009 budget transfers.

**WHEREAS**, N.J.S.A. 40A:4-58 allows for appropriation transfers during the last 2 months of a budget fiscal year when there is a need for these transfers; and

**WHEREAS**, there is a need to do appropriation transfers between appropriations in the 2009 Municipal Budget.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Hillsborough that the Chief Finance Officer be authorized to make transfers between the following appropriations in the 2009 Budget:

TO:	Construction	OE	725	20,000.00
				<b>20,000.00</b>
FROM:	Construction	S&W	725	20,000.00
				<b>20,000.00</b>

Deputy Mayor Wagner said this transfer moves \$20,000 that has been saved in Building Department salary wages to Building Department other expenses, in order to allow for needed inspection vehicle purchases. The Building Department is supported by building permit fees.

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

6. Resolution authorizing the purchase of three (3) Ford Escape inspection vehicles, by state contract, from DFFLM, LLC. t/a Ditschman/Flemington Ford (Flemington Car and Truck Country), for the Construction Department, at a price not to exceed \$19,882 per vehicle.

**WHEREAS**, there is a need to purchase three (3) inspection vehicles for the Construction Department in the Township of Hillsborough, County of Somerset, State of New Jersey; and

**WHEREAS**, the maximum amount of the purchase is not to exceed \$19,882 per vehicle and funds are available as evidenced by the Chief Financial Officer's Certification of Funds; and

**WHEREAS**, public bids are not required when the vendor is under a state contract in accordance with N.J.S.A. 40A:11-12.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough in the County of Somerset that the Township Administrator is hereby authorized and directed to approve and forward a Purchase Order as follows:

<u>State Contract Vendor</u>	<u>State Contract Number</u>	<u>Purpose</u>	<u>Approximate Cost per Vehicle</u>
DFFLM, LLC. each t/a Ditschman/Flemington Ford (Flemington Car & Truck Country)	A73845 T2007	(3) 4 Wheeled Vehicles	\$19,882

Deputy Mayor Wagner said three years ago the Township began a long term vehicle replacement program in the Building Department where the older gas inefficient former police vehicles are systematically replaced over time by new more gas efficient inspection vehicles.

Deputy Mayor Wagner said the older vehicles had high mileage and great wear and tear from their service as Police vehicles, so they often broke down and needed constant repair. Newer vehicles not only reduce gas costs because they are more fuel efficient, they also reduce vehicle maintenance costs and allow inspectors to be out doing their job instead of waiting for a vehicle repair.

The Deputy Mayor said additionally, the older Police vehicle were not four wheel drive and were inefficient and prone to problems when taken off road. Building staff, particularly when inspecting new home construction, are often required to go off paved roadways.

Deputy Mayor Wagner explained that the new vehicles are safer and can better handle the off road requirements.

Deputy Mayor Wagner said state law requires that the Township account for all Building permit fees as used in support of the Building Department and the purchase of inspection vehicles in an approved expenditure. The Ford Escapes to be purchased are through state contract at the best price available.

Committeeman Ferrera said that the vehicles in the Building Department are used for official Township business only. Sometimes because of media reports of how other Towns operate, residents think these vehicles are given to employees for their use and they are not.

Committeeman Ferrera explained that no member of the Building Department staff is authorized to take one of these vehicles home. They are here for use in doing their jobs.

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

7. Resolution ratifying and confirming the action of the Township Administrator in authorizing the hiring of Marie Moravek as a part time assistant in the Health Department to perform clerical and other duties regarding the preparation and administration of H1N1 vaccines, at a rate of \$20 per hour, to be paid through the "Local Public Health Response to H1N1 Grant".

**WHEREAS**, there exists a need for a part-time temporary assistant in the Health Department because of the excessive workload resulting from the H1N1 flu outbreak; and

**WHEREAS**, Township Health Officer Dr. Glen Belnay recommended the appointment of Marie Moravek to the position of a part time assistant in the Health Department, to perform clerical and other duties regarding the preparation and administration of H1N1 vaccines, at a rate of \$20 per hour, to be paid through the "Local Public Health Response to H1N1 Grant"; and

**WHEREAS**, the Great Somerset Public Health Partnership Cooperative, a collaborative effort of local health departments within Somerset County working to provide cost-effective public health services to the greater Somerset area, is overseeing H1N1 preparation and administration throughout Somerset County; and

**WHEREAS**, the Township of Hillsborough has received \$101,494.00 from the New Jersey Department of Health and Senior Services "Local Public Health Response to H1N1 Grant Fund", with said monies to be used to cover the cost of the part time assistant in the Health Department; and

**WHEREAS**, in an effort to continue to provide the public with prompt service during the H1N1 flu season, Township Administrator Kevin Davis authorized the hiring of Marie Moravek, effective October 28, 2009.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby ratifies and confirms the action of the Township Administrator in authorizing the hiring of Marie Moravek as a part time assistant in the Health Department, to perform clerical and other duties regarding the preparation and administration of H1N1 vaccines, at a rate of \$20 per hour, to be paid through the "Local Public Health Response to H1N1 Grant", effective October 28, 2009.

Deputy Mayor Wagner said Ms. Moravek is a temporary employee assisting just during the H1N1 clinics. Her hourly rate is paid through the H1N1 grant.

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

8. Resolution authorizing the hiring of Thomas Curran as a part time back up bus driver and Mr. Fix-It in the Social Services Department, at a rate of \$17 per hour, effective December 9, 2009.

**WHEREAS**, there exists a need for a part-time back up Senior Transportation Bus Driver and Mr. Fix It because of the growing demands of the Township Senior Citizens; and

**WHEREAS**, Township Social Services Director has interviewed qualified candidates and recommends the appointment of Thomas Curran to the position of part-time back up Senior Transportation Bus Driver and Mr. Fix It, at a rate of \$17 per hour, effective December 9, 2009, not to exceed 29 hours per week; 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 Social Services Director is hereby accepted and approved, and Thomas Curran is hereby appointed to the position of part-time back up Senior Transportation Bus Driver and Mr. Fix It, at a rate of \$17 per hour, effective December 9, 2009, not to exceed 29 hours per week.

Deputy Mayor Wagner said Mr. Curran will provide back-up help as the senior bus driver and Mr. Fix-It on a part time basis when needed as a substitute.

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

## CONSENTS

Mayor DelCore offered the following consent agenda:

1. Resolution granting permanent employee status to Police Officers Pedro Rodrigues and Christopher Giraldi, effective December 1, 2009.

**WHEREAS**, Police Officer Pedro Rodrigues and Police Officer Christopher Giraldi were appointed to their respective positions on December 1, 2008 for a one-year probationary period; and

**WHEREAS**, the Chief of Police Paul Kaminsky has certified that Officer Pedro Rodrigues and Officer Christopher Giraldi have successfully completed their probationary periods; and

**WHEREAS**, Chief of Police Paul Kaminsky highly recommends that permanent status be conferred upon Officers Rodrigues and Giraldi as of December 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 Chief of Police Paul Kaminsky be and hereby is accepted and approved, and Police Officers Rodrigues and Giraldi are granted Permanent Employee Status in their respective positions as of December 1, 2009.

2. Resolution supporting the Over the Limit under arrest 2009 year end crackdown.

**WHEREAS**, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

**WHEREAS**, 26% of motor vehicle fatalities in New Jersey are alcohol-related; and

**WHEREAS**, an enforcement crackdown is planned to combat impaired driving; and

**WHEREAS**, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

**WHEREAS**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Over the Limit Under Arrest 2009 Year End Crackdown*; and

**WHEREAS**, the project will involve increased impaired driving enforcement from December 7, 2009 through January 3, 2010; and

**WHEREAS**, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey does hereby declare its support for

the *Over the Limit Under Arrest 2009 Year End Crackdown* from December 7, 2009 through January 3, 2010 and pledges to increase awareness of the dangers of drinking and driving.

3. Resolution accepting Performance Bond No. 105345673 and No.105116519 from Traveler's Casualty and Surety Company of America for InterState Commercial for Historic Carriage House Restoration and Right-of Way improvements along Raider Boulevard, respectively, in conjunction with the Walgreens Project.

**WHEREAS**, a request has been received from InterState Commercial for the acceptance of the following Performance Bonds:

1. Performance Bond No. 105345673 from Traveler's Casualty and Surety Company of America for \$85,000 for historic Carriage House restoration; and
2. Performance Bond No. 105116519 from Traveler's Casualty and Surety Company of America for \$35,045 for right of way improvements on Raider Boulevard to be completed by Walgreens.

**WHEREAS**, Assistant Township Engineer Thomas Belanger recommends that the Township Committee take action, subject to the review and report of the Township Attorney, to accept the aforementioned Performance Bonds.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the following Performance Bonds are hereby be accepted:

1. Performance Bond No. 105345673 from Traveler's Casualty and Surety Company of America for \$85,000 for historic Carriage House restoration; and
2. Performance Bond No. 105116519 from Traveler's Casualty and Surety Company of America for \$35,045 for right of way improvements on Raider Boulevard to be completed by Walgreens

4. Resolution approving the request from Daniel Churco for the release of cash escrow for Road Opening Permit No. 2008-20, in the amount of \$150.00.

**WHEREAS**, a request has been received from Daniel Churco for release of cash escrow for Road Opening Permit No. 2008-20; and

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

**WHEREAS**, the Assistant Township Engineer recommends that the Township Committee take action to release the \$150.00 cash escrow that was posted for the completion of the project.

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

5. Resolution approving the request from Pulte Homes for the release of the performance guarantees for Hillsborough Point pursuant to the Tri-Party Agreement.

**WHEREAS**, as part of the Tri-Party Agreement between Hillsborough Point Condominium Association Inc., Pulte Homes of NJ and the Township of Hillsborough, it was agreed that all existing performance guarantees would be released and no maintenance guarantee would be required; and

**WHEREAS**, the Assistant Township Engineer recommends the following action should be taken, pursuant to the Tri-Party Agreement dated September 23, 2009:

1. Performance Bond No. SG6351 from St. Paul's Fire and Marine Insurance Co. in the reduced amount of \$210,630.00 be released in its entirety.
2. Cash principal of \$23,403.00 plus any applicable interest be released in its entirety and the account be closed.
3. Pursuant to the Tri-Party Agreement, a maintenance bond guarantee waiver is required.
4. The Township of Hillsborough remains the owner of Render Drive and will be responsible for maintenance.
5. The Township of Hillsborough will take ownership of the Roycebrook footbridge between Hillsborough Point and Hillsborough Center and be responsible for maintenance. It is to be noted that Hillsborough Point Association will be responsible for the sidewalk leading to bridge.
6. The Engineering Inspection fee account in the amount of \$199.80 should be transferred to the Township account for previous engineering inspection charges for this project. The account may then be closed.

**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.

6. Resolution authorizing refund of Tax Overpayments in the amount of \$40,530.36.

**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, \$40,530.36, properties, 20.

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Block	Lot	Name	Amount	Qtr	Year
6	9	Serido, Robert & Gloria	250.00	4th	2009
58	72.05	First American Tax Service	2,451.98	4th	2009
58	72.27	First American Tax Service	2,608.80	4th	2009
150.02	23	First American Tax Service	2,443.61	4th	2009

151.05	11	First American Tax Service	2,585.96	4th	2009
153.12	2203 Condo	First American Tax Service	1,035.30	4th	2009
153.15	3704 Condo	First American Tax Service	1,119.80	4th	2009
163.04	13	Lereta, LLC	1,840.73	4th	2009
163.05	21.3 Condo	First American Tax Service	1,095.43	4th	2009
163.05	31181 Condo	First American Tax Service	1,013.22	4th	2009
163.06	612 Condo	Bellotti, Edward	1,199.73	4th	2009
163.21	1722 Condo	First American Tax Service	1,375.57	4th	2009
	174 113	First American Tax Service	2,043.96	4th	2009
174.A	2	First American Tax Service	2,068.31	4th	2009
174.A	44	First American Tax Service	2,632.40	4th	2009
175.08	82	First American Tax Service	1,948.03	4th	2009
180.09	79	Toll, NJ IV, LP	494.81	4th	2009
	203 27	Wells Fargo Home Mortgage	2,362.16	4th	2009
203.U	1	First American Tax Service	3,115.03	4th	2009
205.31	42	Lereta, LLC	6,845.53	4th	2009

7. Resolution accepting the retirement of Corporal Michael Pineno, of the Police Department, effective March 31, 2010.

**WHEREAS**, Corporal Michael Pineno is employed by the Township of Hillsborough Police Department; and

**WHEREAS**, Corporal Pineno submitted his retirement to the position of Corporal in the Police Department, effective March 31, 2010; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey hereby accepts the retirement of Corporal Michael Pineno, effective March 31, 2010.

8. Resolution authorizing the Director of Parks and Recreation to submit the 2010 National Recreation Trails Program Grant for the "Take a Hike in Hillsborough" Program to the New Jersey Department of Environmental Protection, Division of Parks and Forestry Office of Natural Lands Management.

**WHEREAS**, the Township of Hillsborough desires to apply for and obtain a grant from the New Jersey Department of Environmental Protection, Division of Parks and Forestry Office of Natural Lands Management for \$25,000.00 to continue the "Take A Hike In Hillsborough" recreational trail Program; and

**WHEREAS**, the Township Committee supports this grant application and agrees to satisfy the matching requirement of twenty-percent through in-kind services.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Director of Parks and Recreation is hereby authorized to submit the 2010 National Recreation Trails Program Grant for the "Take a Hike in Hillsborough" Program to the New Jersey Department of

Environmental Protection, Division of Parks and Forestry, Office of Natural Lands Management.

9. Resolution authorizing the transfer of earned amounts, in an amount of \$8,467.97, 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 \$8,467.97 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 December 2, 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 \$8,467.97 is to be transferred from the Engineering Escrow Accounts into the Treasurers Account.

<u>Client</u>	<u>Number</u>	<u>Transfer Amount</u>
Colonial Square at Belle Mead	323	-66.58
Community Options Enterprises	540	-648.20
Country Classics 3B	326	-1,105.16
Country Classics 3C	331	-904.92
East Hill Partnership	349	- 143.62
Foothill Acres	536	-38.52
Hidden Forest Estates	372	-0.00
High Branch Land, Inc.	373	-290.20
Hillsborough Chase	376	-133.16
Hillsborough Chase II	488	-676.26
Kiddie Academy	542	-1,613.61
Pleabeazin	477	-609.68
PSE&G 2009-11	537	-82.96
Pleasant View Estates III	490	-199.74
Rd opening #2008-25	552	-752.40
Roycebrook Meadows	489	-142.22
ShopRite	508	-38.52
Stellar Academy	532	-154.08
Walgreen's Pharmacy	522	-62.22
Weidel Realty	543	-257.78
Westmeade Development	450	-548.14
Grand Total		-8,467.97

10. Resolution authorizing Officer Chris Kennedy to attend "Critical Issues in Corrections" through Kaplan University and authorizing Officer Kennedy to be eligible for tuition reimbursement of said course once it has been successfully completed.

**WHEREAS**, it is the policy of the Township of Hillsborough to encourage continuing education on the part of full-time employees for the purpose of enabling them to better perform in their jobs and to better prepare them in the event of an opportunity for advancement and promotion within the Township; and

**WHEREAS**, financial assistance for education is outlined in Article XVIII of the current P.B.A. contract; and

**WHEREAS**, Officer Chris Kennedy has enrolled in the class "Critical Issues in Corrections" through Kaplan University; and

**WHEREAS**, Officer Kennedy has requested consideration under the Township's Educational Assistance provisions upon successful completion of the aforementioned course; and

**WHEREAS**, the Chief of Police has requested favorable consideration of Officer Kennedy's request for financial reimbursement of seventy-five percent (75%) of the cost incurred upon successful completion of the class.

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

11. Resolution authorizing the non-profit charitable organization, Resolutions for Others Foundation, to use the municipal building parking lot located by the Board of Education entrance on January 1, 2010 for the Resolution Run & Walk 5k.

**WHEREAS**, the non-profit organization Resolutions for Others Foundation is having their annual Resolution Run & Walk 5K on Friday, January 1, 2010; and

**WHEREAS**, the organization has requested the use of the Municipal Building parking lot located by the Board of Education entrance for use by race participants.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the organization Resolutions for Others Foundation is hereby authorized to use the Municipal Building parking lot located by Board of Education entrance on Friday, January 1, 2010.

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

**CLAIMS LIST**

Mayor DelCore presented Claims List 2009-23

Upon motion by Committeeman Ferrera, seconded by Committeewoman McCauley, Claims List 2009-23 was unanimously approved upon call of the roll.

**ADJOURNMENT**

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

Attested:

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