

Minutes of the Regular Meeting of the Township Committee of the Township of Hillsborough, in the County of Somerset, State of New Jersey, held in the Municipal Complex at 7:30 p.m. on the above date.

Upon call of the roll, the following Committee members were recorded present: Committeeman Carl Suraci, Committeeman Anthony Ferrera, and Deputy Mayor Bob Wagner, Committeewoman Gloria McCauley and Mayor Frank DelCore. Also in attendance were Township Attorney Albert Cruz, Township Administrator/Clerk Kevin P. Davis and Secretary to the Administrator/Clerk Dianne Borngesser.

Following the Salute to the Flag, Deputy Mayor DelCore advised that notice of this Regular Session was made in accordance with Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975, by posting on the bulletin board at the Municipal Building and by mailing to the Township's official newspapers, a notice that this regular session would take place at the Hillsborough Municipal Building at 7:30 p.m. on February 24, 2009.

PROCLAMATIONS

- ***Proclamation honoring Mark Brownlie, for nine years of dedicated service to the Office of Emergency Management.***

WHEREAS, Mark Brownlie has served as Hillsborough Township's Office of Emergency Management Coordinator for nine years; and

WHEREAS, Mr. Brownlie has unselfishly volunteered his time, energy and professional experience to all the residents of Hillsborough during the numerous floods and snowstorms, search and rescue incidents, house fires, gas main breaks, township wide power outages and water emergencies, evacuation and shelter assistance, chemical spills and several hurricanes and tropical storms over the past several years; and

WHEREAS, Mark has committed countless hours dedicated to insuring that all emergency services personnel are prepared with the training, resources, information and equipment available to bring any event to a successful conclusion; and

WHEREAS, Mr. Brownlie had also assumed the responsibility of overseeing the implementation of the Command Operations Center at Hillsborough Township's Police Department, Hillsborough OEM's first Mobile Command Center and assisted in the implementation of the Community Emergency Response Team (CERT) as well as the HTPD's current Command Structure; and

WHEREAS, Mr. Brownlie was instrumental in inspiring team work among all the emergency services to work harmoniously as one emergency response unit and was committed to being knowledgeable of all current OEM procedures so as to ensure that the Township remained compliant with all state and county mandates; and

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Township Committee of the Township of Hillsborough, on this twenty-fourth day of February 2009, do hereby commend and thank Mark Brownlie for his outstanding service to Hillsborough, where he has displayed professionalism, dedication to duty and an unwavering commitment to the community in his role as a Hillsborough Township's Office of Emergency Management Coordinator.

BE IT FURTHER PROCLAIMED that we wish Mr. Brownlie the best of luck in all his future endeavors and thank him for his 9 years of dedicated service to the Hillsborough Township.

- **Proclamation honoring Helen Haines, Lisa Kent, Barbara Tofani and Tina Rear for being selected as Somerset County Outstanding Women of the Year.**

WHEREAS, Hillsborough Township residents Helen “Chickie” Haines, Lisa Kent, Tina Rear and Barbara Tofani will be recognized by the Somerset County Commission on the Status of Women in celebration of Women’s History Month when they present their awards on Friday, March 6, 2009 at the Imperia; and

WHEREAS, these four “Outstanding Women of Somerset County” will be honored for their contributions in the categories of Education, Entrepreneurship, Health Services and Volunteerism respectively; and

WHEREAS, in addition to her many educational contributions, Ms. Haines has served the Hillsborough Township Community and Somerset County Community at large as a member of various boards and commissions, such as the Open Space Advisory Board, Board of Adjustment and Environmental Commission among others.

WHEREAS, Ms. Kent is the founder and president of The Luminations Group, a Hillsborough based strategy and innovation firm with revenues in excess of \$2 million; and

WHEREAS, the company, which today is comprised of eight women principals, with a combined 100+ years of marketing and general management experience and sixteen children, provides a innovative, practical working environment for its consultants and outstanding results for its clients, which include such companies as Johnson & Johnson, Panasonic and Church & Dwight; and

WHEREAS, Ms. Rear, the founder and president of the Care to Share Support Network, has dedicated her life to developing a large, local support network for the children and families of special needs; and

WHEREAS, Ms. Rear works tirelessly to provide the Care to Share community with support through grants for therapy, adaptive equipment and therapeutic supplies, medical services, camp, social skills training and relationship based services through circles of support, friendship facilitation and sibling support; and

WHEREAS, Ms. Tofani, a registered nurse, has worked passionately over the past 27 years to promote the field of nursing with the community and leadership within the profession; and

WHEREAS, Ms. Tofani, a member of the Hunterdon Regional Cancer Center, was responsible for developing and implementing the collaborative strategic plan to address the healthcare workforce shortage in New Jersey, currently assists new nursing graduates in their transition from school to the work place and has helped raise money for nursing scholarships and grants to improve the nursing work environment; and

WHEREAS, through their leadership and dedication, these four Outstanding Hillsborough Women have enriched the lives of so many and we are very proud to have them as members of our community.

NOW, THEREFORE, BE IT PROCLAIMED by the Mayor and Township Committee of the Township of Hillsborough that Helen “Chickie” Haines, Lisa Kent, Tina Rear and Barbara Tofani are hereby recognized for their service to others and for their tireless work in their respective fields.

BE IT FURTHER PROCLAIMED that we join the Somerset County Commission on the Status of Women in saluting these women for a job well done and wish them continued success in the future.

APPOINTMENTS

- Nomination of Mike Merdinger to the Somerset County Solid Waste Advisory Committee - mayor

MAYORAL APPOINTMENTS

- *Appointment of Greg Burchette to the Somerset County Solid Waste Advisory Committee-TC*
- *Appointment of Greg Gillette to the Somerset County Cultural and Heritage Commission*
- *Appointment of Rosemary Toto to the Alternate Seat #2, on the Economic and Business Development Commission with a term ending 12/31/09-tc*
- *Appointment of Thomas Kinst to Alternate Seat #1, on the Architectural Design Standard-Sub Standard Sub- Committee effective March 1, 2009, with a term ending 12/31/09- Mayor with Consent of TC*
- *Appointment of Carol Sutter to Alternate Seat #2, on the Architectural Design Standad Sub-Committee effective March 1, 2009, with a term ending 12/31/09-Mayor with consent of TC*

APPROVAL OF MINUTES

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

Upon motion by Committeeman Ferrera, seconded by Committeeman Suraci, the minutes of the February 10, 2009 Executive Session were unanimously approved upon the call of the roll.

- *Approval of the December 23, 2008 Regular Session Minutes*

Upon motion by Committeeman Suraci, seconded by Deputy Mayor Wagner, the minutes of the December 23, 2008 Executive Session were unanimously approved upon the call of the roll.

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

Upon motion by Deputy Mayor Wagner, seconded by Committeeman Ferrera, the minutes of the January 13, 2009 Executive Session were unanimously approved upon the call of the roll.

REPORTS AND NEW BUSINESS FROM COMMITTEE LIAISONS, RECEIPT OF REPORTS, PETITIONS OR COMMUNICATIONS

Mayor DelCore

Mayor DelCore stated that the Township Committee will be considering another economic action proposal, Ordinance 2009-12, which is recommended by the Regulatory Oversight Working Group.

Mayor DelCore stated that this ordinance is part of the Township's continuing effort to move the bureaucracy out of the way and assist local businesses, through an economic action plan for Hillsborough.

Mayor DelCore stated that the Working Group was created at the beginning of the year and is composed of various municipal staff members who have regulatory authority and interact with the business community on a regular basis. The Group is chaired by Mr. Ron Skobo, the Director of the Building Department. The Mayor stated that both himself and Committeewoman Gloria McCauley are serving as the liaisons.

Mayor DelCore stated that the Working Group recommended five major regulatory changes that will have a positive impact for businesses in our community. He stated that some of the changes are designed to encourage business development and expansion in the industrial zones that will lead to increased employment opportunities. He also stated that another change that had been previously introduced will reduce various permit and application fees, reducing some costs for businesses.

Mayor DelCore also stated that the Township has also moved to make the Business Advocate, Gene Strupinsky, more available to the business community. The Mayor also makes note that there has been a link put on the Township website that provides resources to individuals and families in need.

Mayor DelCore states that the list is extensive and also includes employment opportunities, places to find help with mortgages and utility payments, and state, county, local and non-profit agencies that can help people in need.

Committeeman Suraci

Committeeman Suraci states that the Township had a credit card through United National Bank. From the years 2001-2005 the non profit groups in the Township received benefits from the use of the credit card through grants or grants that were awarded to them. Committeeman Ferrera looked for a partner to do the same when he joined the Township Committee and that is where Affinity Bank came in to play. We requested proposals and Affinity Bank was the only bank that came forward with one. They have been working with our credit card advisory committee during the past few months.

Committeeman Suraci stated that Patrick McDermot and Jim Borelli of Affinity Credit Union will be giving a presentation.

Mr. McDermot of Affinity Credit Union noted that the percentage of the amount of usage on the card will be returned to Hillsborough Credit Card Trust Fund where it will be distributed based on recommendation of the Credit Card Advisory Committee to Senior Citizens and other non profit Hillsborough Organizations

Committeeman Suraci stated that the Committee is grateful for Affinity opening their services to the Township. Also states that it is a great opportunity for residents to help support our Townships organizations while purchasing their everyday items

Committeeman Ferrera

None at this time

Deputy Mayor Wagner

None at this time

Committeewoman McCauley

None at this time

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

- Affinity Credit Union, Hillsborough Credit Card Presentation

Mayor DelCore stated that the Affinity Credit Union had been working with the Hillsborough Credit Card Advisory Committee in developing a credit card for use in the renewed program.

Mayor DelCore introduces Committeeman Suraci to speak on behalf of the card, as he has been working on this for the past year.

Committeeman Suraci stated that the Township had a credit card through United National Bank in the past. From 2001-2005 the non profit groups in the Township received benefits from the use of the credit card through grants or grants that were awarded to them.

Committeeman Suraci stated that Committeeman Ferrera looked for a partner to do the same when he joined the Township Committee in 2005 and that is where Affinity Bank came in to play.

Committeeman Suraci stated that the Township requested proposals and Affinity Bank was the only bank that came forward with one. Affinity Bank had been working with our credit card advisory committee during the past few months.

Committeeman Suraci stated that Patrick McDermott and Jim Borelli of Affinity Credit Union will be giving a presentation.

Mr. McDermott stated that the percentage of the amount of usage on the card will be returned to Hillsborough Credit Card Trust Fund where it will be distributed based on recommendation of the Credit Card Advisory Committee to Senior Citizens and other non profit Hillsborough Organizations.

Committeeman Suraci stated that the Committee is grateful for Affinity opening their services to the Township. Also states that it is a great opportunity for residents to help support our Townships organizations while purchasing their everyday items

Patrick McDermott and Jim Borelli of Affinity Credit Union stated that this credit card will help support youth, senior citizens and non profit organizations within Hillsborough Township. He also stated that Affinity is one of the largest Credit Unions in the country. Affinity has approximately twenty six thousand members. Because Affinity is exclusive, it is because of the non profit organizations that are helping the residents to be able to become a member of Affinity and therefore join to receive the credit card.

Mr. McDermott stated that residents are able to go onto the Affinity Website and choose the non profit organization that they would like to join. After they pick the organization then they will be able to join Affinity.

Mr. McDermott stated that the Affinity landing page is exclusive to Hillsborough Township members. The website explains the program to Hillsborough Residents as well as lists all of the non profits that are included within the program.

Mr. McDermott also stated that there is also a bill board up on Route 206. This allows the residents see how they are able to support their Township. There are also flyers explaining the credit card as well. For every dollar you spend you earn a point.

Mr. McDermott stated that residents are also able to join by calling Affinity. The representatives are briefed on the credit card and are there to help.

Committeeman Suraci stated that this is a good exposure for the non profit organizations in the Township. This is also not costing tax payers anything; it is being funded by Affinity Credit Union.

Committeeman Ferrera thanks the members of the Credit Card Advisory Committee for their hard work.

PUBLIC COMMENT

Brian Miller

Stated that he would like each of the Committee members to write a few sentences about the agenda for the public after each meeting.

Mayor DelCore stated that the Committee is looking at his request and are looking into it.

Committeewoman McCauley stated that the idea has been considered, however, the Township does not have the means to currently do this. Stated that the idea is good, it is a matter of whether it is able to be done.

Howard Freeman
HeartStone
2 Steele Place

Stated that the HeartStone community has had problems with the builders.

Asked the Mayor to help with the problems that have been occurring.

Mayor DelCore stated that this is an important concern. Stated that it would be helpful to summarize the key points and send them to the Mayors office. The correct department heads will then be spoken to and they will have the points reviewed.

Committeeman Ferrera stated that there had been a previous case in which Mr. Davis was extremely instrumental in helping with and all problems were solved.

Mr. Davis stated that there is a disconnect because the owners are not yet in charge. Mr. Davis stated that this will be taken care of and looked into.

PUBLIC HEARINGS

Ordinance 2009-04 Ordinance repealing Section 188-173 of the Code of Hillsborough, titled "Architectural and Site Design Advisory Subcommittee" and replacing it with a new Section 188-173 with the same title changing the composition of the subcommittee's membership.

Committeeman Ferrera moved to open the public hearing on Ordinance 2009-04. Said motion was seconded by Committeeman Suraci and carried unanimously by voice vote.

Mayor DelCore stated that this ordinance adjusts the membership of the Architectural and Site Design Advisory Committee by permitting the appointment of members of the public as Alternates to the Committee.

Committeeman Ferrera moved to close the public hearing on Ordinance 2009-04. Said motion was seconded by Committeeman Suraci and carried unanimously by voice vote.

Committeeman Suraci moved to adopt Ordinance 2009-04. Said motion was seconded by Committeeman Ferrera and carried unanimously upon call of the roll.

Ordinance 2009-05 An Ordinance authorizing the Township of Hillsborough to accept a Deed of Dedication for Open Space or Block 205.15, Lot 58, from Riverside III, L.L.C., and the Van Cleef Family, L.P., in the Millstone Valley, Phase 3A.

Deputy Mayor Wagner moved to open the public hearing on Ordinance 2009-05. Said motion was seconded by Committeeman Suraci and carried unanimously by voice vote.

Mayor DelCore stated that this ordinance transfers ownership of 3 acres of open space in the Country Classics development from the Van Cleef Family L. P. to the Township for preservation, as required by the development's Planning Board approval and court settlement.

Committeeman Suraci moved to close the public hearing on Ordinance 2009-05. Said motion was seconded by Deputy Mayor Wagner and carried unanimously by voice vote.

Deputy Mayor Wagner moved to adopt Ordinance 2009-05. Said motion was seconded by Committeeman Suraci and carried unanimously upon call of the roll.

INTRODUCTION OF NEW ORDINANCES

Ordinance 2009-12 An Ordinance amending Sections 188-14H (2)(b) and 259-4B of the Code of Hillsborough to allow the posting of Surety Bonds

for site improvements. *Further consideration of this ordinance and public hearing will be held on March 24, 2009.*

Mayor DelCore stated that this economic action regulatory change, which was recommended by the Working Group, will reduce some start up costs for businesses by allowing a commercial entity to post a Bond, rather than cash, as a guarantee that required site improvements will be made.

Mayor DelCore said that this bond is similar to insurance where the business will pay a smaller fee for the bond relative to the cost of the outlay of cash, as is presently required.

Mayor DelCore stated that the goal of the monetary guarantee is to ensure that the improvements that are part of an approval are made in a timely fashion. He also stated that the Township remains protected because should the business fail to make the improvements, the Township can call the bond for financial coverage for making the improvements.

Mayor DelCore stated that the Committee is advised by the Engineering Department that it is a rare case when improvements are not made and the cash is not returned.

Deputy Mayor Wagner moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on March 24, 2009 at 7:30 p.m. Said motion was seconded by Committeeman Suraci and unanimously approved upon call of the roll.

Ordinance 2009 – 13

Mayor DelCore stated that this ordinance, which is also a recommendation of the Working Group, will first be considered by the Planning Board for discussion and public input on March 12th.

Mayor DelCore stated that he had been advised that because it is a zoning change, following our policy, mail notices are being sent to nearby property owners for the Planning Board meeting.

Ordinance 2009 – 14 An Ordinance determining the positions eligible for the defined contribution retirement program. *Further consideration of this ordinance and public hearing will be held on March 24, 2009.*

Mayor DelCore stated that under the pension reform enacted last year by the Legislature, certain positions within the Township will no longer be eligible to be included in the state Public Employee Retirement System or PERS.

Mayor DelCore said that Executive decision making and senior management positions, including some Department Head positions, in the future will be included in a new state Defined Contribution pension program.

Mayor DelCore went on to state that those positions that require state certification or licensing or are considered rank and file positions will remain in the PERS. This change will also result in lower pension costs to the Township, in the future, for civilian employees.

Mayor DelCore stated that under the requirements of the law, the change would impact new hires and does not impact current employees. This change also does not affect Police Officers who are in a separate pension system.

Mayor DelCore stated that the new law requires the Township to adopt an ordinance delineating which positions are covered under the PERS and the new Defined Contribution system.

Committeeman Suraci moved that the aforesaid Ordinance be passed on first reading and that the Ordinance be further considered at a public hearing held on March 24, 2009 at 7:30 p.m. Said motion was seconded by Committeewoman McCauley and unanimously approved upon call of the roll.

CONSIDERATIONS

Mayor DelCore offered the following resolutions:

1. **Resolution authorizing the Township Administrator/Clerk to execute the New Jersey Environmental Infrastructure Trust (NJEIT) Loan application for eligible stimulus projects.**

**Applicant: Township of Hillsborough
NJEIT Loan Number: 340099-0**

WHEREAS, the Township of Hillsborough intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for road paving and salt storage building construction.

NOW, THEREFORE BE IT RESOLVED that Kevin P. Davis, Township Administrator/Clerk be authorized to act at the Authorized Representative to represent the Township of Hillsborough in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at Hillsborough Municipal Complex, 379 South Branch Road, Hillsborough, NJ 08844; (908) 369-4313

Mayor DelCore stated that Mr. Davis would report on the potential stimulus project for which Hillsborough is eligible to submit applications. He also stated that President Obama is watching both Mayors and municipalities closely as to how the stimulus funding is being spent.

Mayor DelCore stated that Hillsborough will be doing all we can to qualify for stimulus funds that can benefit our taxpayers and our community.

Mayor DelCore stated that the Township Administrator and the Township's professionals have been following the progress of the federal stimulus package, in order to determine if there are opportunities for Hillsborough to benefit from the method that New Jersey will use to allocate the funds.

Mayor DelCore stated that it appears that one method of allocation will be through low or no interest financing of qualified projects by the state's environmental infrastructure trust.

Mr. Davis stated that the Environmental Infrastructure Trust will be a major source of stimulus funding, with possible 0% or low interest loans. He stated that the projects that would qualify for this must meet Environmental requirements. The deadline is March 2nd.

Mr. Davis stated that Hillsborough Township has two projects: Road Improvements on the roads that would be impacted by the sewer projects in the Claremont Area. Mr. Davis stated that the best way to do this is to seek a 0% financing to complete this project if the Township is eligible. He said there is not a guarantee that this will qualify. All the Township knows is that this project meets the criteria for this project.

Committeeman Ferrera stated that he believes the Township is doing the right thing by applying for this. He also stated that this is critical for that area.

Mr. Davis stated that another project that would qualify is a Salt Storage Facility that would be located at the Department of Public Works. This qualifies for the Trust because it helps the town meet the requirements of the states Storm water Regulations.

Mr. Buck Sixt, Director of DPW, stated that the present Salt Storage Facility is a dome shaped building that was built in 1982 with a capacity of 664 tons. He said that the capacity is only reached if it is filled from the conveyer through the roof. Realistically, the capacity that is reached is about 500 tons. During a snowstorm, the Township uses approximately 250 tons when salting all of the roads one time. The road systems have changed since 1982, leaving the dome insufficient to fill the capacity of salt that is needed. Stated that this is a public safety issue and effects the whole town. He stated that emergency vehicles are not able to function without the salting of the roads.

Mr. Sixt stated that the Department of Public Works has done everything possible to stretch the salt out, however, it has come time to purchase a new building for the Salt Storage Facility that will help DPW become more efficient as well as continue making Hillsborough Township a safe community.

Mr. Sixt stated that this winter alone, DPW has used 2,555 tons of salt, not including this coming November and December. The Salt Institute recommends having 75% of salt that is likely to be used on hand if able to be stored. The total cost of the actual Salt Storage Facility is 331 thousand dollars.

Mr. Davis stated that as a point of comparison, if the money were to be borrowed for the Salt Storage Facility, and were to pay it back over ten years at a 5% rate for the two projects, it would be \$550,000 in interest that the Township would pay, as opposed to the 0% interest with the Trust, which is a large comparison.

Mr. Davis also stated that many of the roads, such as Route 206 after the completion of the bypass, will be Hillsborough's responsibility and therefore there will be more salt needed.

Mr. Davis also stated that the roads will continue to grow and therefore having the capacity for the salt would be in the public's best interest.

Committeeman Ferrera stated that this is a safety issue and the Township will be better off by having the salt within the community rather than depending on outward resources to help when the time comes.

Committeeman Ferrera also stated that with the 0%, the Township is looking at saving half a million dollars. He stated that the Township should look towards the future and the safety of the community.

Deputy Mayor Wagner said that when looking at the package, and looking at the new roads being built within the Township as well as the winter events that happened through the months, he believes it would be best to apply for this Trust. He also stated that he supports this.

Committeewoman McCauley stated that if the Township could become qualified it would help the Township immensely.

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

2. Resolution approving 2008 Appropriation Reserve Transfers.

WHEREAS, N.J.S.A. 40A:4-58 allows for appropriation transfers during the first 3 months of a budget fiscal year where there is a need for these transfers; and

WHEREAS, there is a need to transfer Health Benefits and Snow Removal budget balances to the Miscellaneous Trust for use in future years;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough that the Chief Finance Officer be authorized to make the transfer from following appropriations in the 2008 Reserve Budget to the Miscellaneous Trust Fund:

FROM:	Group Insurance		
	Other Expenses	8-01-23-733-020	\$107,656.85
	Snow Removal		
	Salaries and Wages	8-01-26-769-010	\$ 17,907.13
	Other Expenses	8-01-26-769-020	<u>\$ 19,962.27</u>
	Total		<u>\$145,526.25</u>
TO:	Health Benefits Reserve	T-12-56-860-027	<u>\$107,656.85</u>
	Snow Removal Reserve	T-12-56-860-061	<u>\$ 37,869.40</u>
	Total		<u>\$145,526.25</u>

Mayor DelCore stated that the state budget law permits any unused appropriations for snow removal and health benefits from a prior year to be transferred to a trust account for future use in emergency situations.

Mayor DelCore stated that the accumulated snow days that were not used from last year will be available for 2009 if the Township needs them.

Mayor DelCore also stated that the health benefits trust account can help protect the taxpayers against unusual spikes in benefit rates in the future.

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

3. Resolution awarding 2009 contracts for Municipal Alliances services to various individuals.

Mayor DelCore stated that this consideration will be held. The Committee had been advised that the commitment of the state grant would be made prior to awarding these contracts; however, the Township had not received the official commitment.

Mayor DelCore said that once of the notification of grant is received, the matter can be acted on. He also stated that by holding it tonight will not mean there will be any delays to the program.

4. Resolution authorizing the Township Administrator/Clerk to execute a "Non Fair and Open" contract for goods and services, for a boundary survey and wetlands letter of interpretation for Sunnymeade Landfill

WHEREAS, the Sunnymeade Landfill site has been declared an area in need of redevelopment and is being prepared to be marketed for redevelopment purposes; and

WHEREAS, it has been determined that a wetlands delineation, aerial survey, wetland location plan and boundary survey and letter of interpretation for Sunnymeade Landfill is necessary; and

WHEREAS, the Township Committee has decided to award a "Non Fair and Open" contract for Professional Services to CME Associates, for a wetlands delineation, aerial survey, wetland location plan and boundary survey and letter of interpretation for Sunnymeade Landfill in an amount not to exceed \$30,642 pursuant to their proposal dated February 24, 2009; and

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

WHEREAS, CME Associates has submitted the required Political Contribution Disclosure form and other forms as required by N.J.S.A. 19:44A-20.26.

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

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

1. The action of the Mayor and Township Administrator/Clerk to authorize and execute the agreement with CME Associates for a wetlands delineation, aerial survey, wetland location plan and boundary survey and letter of interpretation for the Sunnymeade Landfill is hereby ratified and confirmed.
2. This contract is awarded without competitive bidding as a "Non Fair & Open Professional Service" in accordance with N.J.S.A. 40A:11-5(1)a of the Local Public Contracts Law because these services will be performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, the performance of which service requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized instructions as distinguished from general academic instruction or apprenticeship and training.
3. The Mayor and Township Administrator/Clerk are hereby authorized to execute the Township's standard form of agreement for "Professional Services" and any modifications thereto and related constituent documents as may be found acceptable by the Township Committee.

4. A notice of this action shall be printed once in the official Township newspaper.

Mayor DelCore stated that the Township has been advised by CME Associates, the consultant hired to assist with the potential sale of the Sunnymead landfill, that having a boundary survey in place and having an official wetlands letter of interpretation from the New Jersey DEP will be important in the marketing of the property.

Mayor DelCore stated that the Township Committee has been advised that the cost of the services can be recovered from the entity selected to take ownership of the property, at the time of transfer.

Mayor DelCore stated that CME Associates is working with Hillsborough Township to seek a business that may be interested in the former landfill. This business would have to be willing to take responsibly for the landfill closure and related costs while also removing the costs from Hillsborough Township in return for developing the property for a commercial use.

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

- 5. Resolution authorizing the hiring of Tiffany Lynn Crivelli as Police Dispatcher, at an annual salary of \$39,700.79, effective February 25, 2009.**

WHEREAS, there exists a vacancy in the position of Police Dispatcher due to the resignation of Tracy Sauro effective January 9, 2009; and

WHEREAS, having conducted extensive interviews, Chief of Police Paul A. Kaminsky recommends that Tiffany Lynn Crivelli be appointed as Police Dispatcher effective February 25, 2009 at a starting salary of \$39,700.79.

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 A. Kaminsky be and hereby is accepted and approved, and Tiffany Lynn Crivelli is hereby hired as Police Dispatcher at a starting salary of \$39,700.79 effective February 25, 2009.

Mayor DelCore stated that Ms. Crivelli's appointment fills a vacancy and is recommended by the Police Chief.

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

- 6. Resolution authorizing the Mayor and Township Administrator/Clerk to enter into a Concession Agreement for Local Median Maintenance Program with AEV Landscaping and Right Touch Landscaping.**

Mayor DelCore stated that this approval will mean the Township's medians will be maintained under private firms under no cost to the Township. A news report about this mistakenly reported that the Township was paying \$1000 for maintenance to the landscaping firms, however, this is not the case. He also stated that the firms are able to display signs on the medians for which they are responsible for.

Mayor DelCore thanked all participating landscaping firms as well as Buck Sixt, the Director of Public Works, for their efforts in maximizing the cost and manpower saving program.

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

CONSENTS

Mayor DelCore offered the following consent agenda:

1. Resolution approving request for assistance for the Second Annual Hillsborough Rotary Fair.

WHEREAS, the Rotary Club of Hillsborough has requested the Township of Hillsborough's assistance for the Second Annual Hillsborough Rotary Fair on July 20th thru July 25, 2009 including the use of the Township tent and the Township's property located at the Hillsborough Promenade, shown as Block 182, Lot 50.02, on the Township of Hillsborough Tax Map; and

WHEREAS, the Department of Parks and Recreation and the Recreation Commission recommend that the Rotary Club of Hillsborough's request be approved for use of the tent because they have always taken good care of the tent in the past.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the Rotary Club of Hillsborough's request for assistance for the Second Annual Hillsborough Rotary Fair on July 20th thru July 25, 2009.

2. Resolution approving the application for Special Permit for Social Affair for Temple Beth El to be held on March 28, 2009.

WHEREAS, an application for a Special Permit for Social Affair has been filed by Temple Beth El for an event to be held on March 28, 2009; and

WHEREAS, the submitted application form was complete in all respects.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the application for Special Permit for Social Affair for Temple Beth El for an event to be held on March 28, 2009.

3. **Resolution approving an application for a Raffle License by Manville-Hillsborough Elks #2110.**

Whereas, an application for a raffle license has been filed by the Manville-Hillsborough Elks #2119 for raffles being held March 2009 through December 2009; and

Whereas, the submitted application form was complete in all respects.

Now, Therefore, Be It Resolved by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the raffle application #1123 to Manville-Hillsborough Elks #2119 for raffles being held March 2009 through December 2009.

4. **Resolution authorizing the Township Administrator/Clerk to advertise for bids for 30 cubic yard containers rental and hauling for the year 2009, custodial services, and wayside horn installation.**

WHEREAS, the Director of Public Works has determined that there is a need for the rental and hauling of 30 cubic yard containers; and

WHEREAS, the Township Administrator/Clerk has determined that there is a need for custodial services and wayside horn installation; and

WHEREAS, the Township Administrator/Clerk requests permission to advertise for bids for the aforementioned project.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that the Township Administrator/Clerk is hereby authorized to advertise for bids for the rental and hauling of 30 cubic yard containers for 2009, custodial services and wayside horn installation.

5. **Resolution authorizing the Township Administrator/Clerk to request proposals through the competitive contracting procurement process for a recreation baseball summer clinic.**

WHEREAS, the Township of Hillsborough believes that it is in the best interests of its residents to provide for a youth recreation baseball summer clinic; and

WHEREAS, the Parks and Recreation Department does not have the staff to operate such a youth baseball clinic; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the Township to procure through the process of competitive contracting, N.J.S.A. 40A:11-4.1(b)(2), the services of a private entity to operate, manage and administer such a program; and

WHEREAS, because the summer season is quickly approaching and the Township is desirous of having such a program available to its youth in a timely manner, the Township Administrator is authorized to advertise a Request for Proposals through the Competitive

Contracting Procurement Process for a Recreation Baseball Summer Clinic, with Responses to the Request for Proposals to be received on April 9, 2009; and

WHEREAS, N.J.S.A. 40A:11-4.3(a) requires that the competitive contracting process be authorized by Resolution; and

WHEREAS, the Township Attorney reviewed the Request for Proposals drafted by the Administrator and advised that the Request for Proposals meets the applicable statutory requirements.

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

1. The Township Administrator to advertise the Request for Proposals.
2. The Competitive Contracting Process be administered by the Township Administrator.

WHEREAS, AN APPLICATION FOR A SPECIAL PERMIT FOR SOCIAL AFFAIR HAS BEEN FILED BY TEMPLE BETH EL FOR AN EVENT TO BE HELD ON MARCH 28, 2009; AND

WHEREAS, THE SUBMITTED APPLICATION FORM WAS COMPLETE IN ALL RESPECTS.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY THAT IT HEREBY APPROVES THE APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR FOR TEMPLE BETH EL FOR AN EVENT TO BE HELD ON MARCH 28, 2009.

3. Responses to the Request for Proposals be accepted on April 9, 2009 at 10:00 A.M.

WHEREAS, an application for a raffle license has been filed by the Manville-Hillsborough Elks #2119 for raffles being held March 2009 through December 2009; and

WHEREAS, the submitted application form was complete in all respects.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the raffle application #1123 to Manville-Hillsborough Elks #2119 for raffles being held March 2009 through December 2009.

4. This Resolution shall take effect immediately.

6. Resolution approving an application for a Raffle License by Hillsborough Education Foundation.

WHEREAS, an application for a raffle license has been filed by the Hillsborough Education Foundation for raffle being held on April 27, 2009; and

WHEREAS, the submitted application form was complete in all respects.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the raffle application #1124 to Hillsborough Education Foundation for raffle being held on April 27, 2009.

7. Resolution approving an application for a Bingo License by Mary Mother of God Church.

WHEREAS, an application for a bingo license has been filed by Mary Mother of God Church for bingo being held on March 27, 2009, April 24, 2009, June 26, 2009 and September 25, 2009; and

WHEREAS, the submitted application form was complete in all respects.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves bingo application #1125 to the Mary Mother of God Church for bingos being held on March 27, 2009, April 24, 2009, June 26, 2009 and September 25, 2009.

8. Resolution approving an application for a Raffle License by Mary Mother of God Church.

WHEREAS, an application for a raffle license has been filed by Mary Mother of God Church for raffle being held on March 27, 2009, April 24, 2009, June 26, 2009 and September 25, 2009; and

WHEREAS, the submitted application form was complete in all respects.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the raffle application #1126 to Mary Mother of God Church for raffle being held on March 27, 2009, April 24, 2009, June 26, 2009 and September 25, 2009.

9. Resolution approving an application for Raffle License by Sunnymeade Home and School Association.

WHEREAS, an application for a raffle license has been filed by the Sunnymeade Home and School Association for raffle being held on April 24, 2009; and

WHEREAS, the submitted application form was complete in all respects.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the raffle application #1128 to Sunnymeade Home and School Association for raffle being held on April 24, 2009.

10. Resolution approving an application for a Raffle License by Sunnymeade Home and School Association.

WHEREAS, an application for a raffle license has been filed by the Sunnymeade Home and School Association for raffle being held on April 24, 2009; and

WHEREAS, the submitted application form was complete in all respects.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the raffle application #1127 to Sunnymeade Home and School Association for raffle being held on April 24, 2009.

11. Resolution authorizing the Township Administrator/ Clerk to post for the position of Plumbing Sub-Code Official.

WHEREAS, the position of Plumbing Sub-Code Official will be vacant effective February 25, 2009; and

WHEREAS, the Director of Building has determined that this position needs to be filled as soon as possible and thereby requests authorization to post for the position of Plumbing Sub-Code Official.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it does hereby authorize the Township Administrator/Clerk to post for the position of Plumbing Sub-Code Official.

12. Resolution authorizing collaboration with the County of Somerset in the performance of the 2009-1010 PARIS Grant Program

**THE STATE OF NEW JERSEY
Department of State
Division of Archives and Records Management**

PARIS Grants Program Shared Services with County

Be it resolved by the Mayor and Township Committee of the Township of Hillsborough THAT:

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

WHEREAS, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and

WHEREAS, in the 2009-10 grant cycle, priority funding will be given to county projects to perform municipal inventories, needs assessments and strategic plans for all of their municipalities; and

WHEREAS, the Township of Hillsborough desires to collaborate with the County of Somerset in the performance of the PARIS Grants Program; and

WHEREAS, the Township of Hillsborough is acknowledging that their eligible funding of \$40,000.00 will be leveraged with County of Somerset; and

WHEREAS, the Township of Hillsborough is acknowledging that the County of Somerset would be both the lead agency and the applicant for such a proposal.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Township Committee of the Township of Hillsborough, that it does hereby support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident thereto.

ADOPTED by the Mayor and the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey at a meeting held on February 24, 2009.

13. Resolution authorizing refund of tax overpayments in the amount of \$20,104.83.

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

WHEREAS, the Tax Collector has received proof of such payment 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 amount to the property owners. Total, \$20,104.83, properties, 12

Block	Lot	Name	Amount	Qtr	Year
140.01	25	Countrywide Home Loans	1,403.49	1 st	2009
151.09	23 Condo	First American Tax Service	1,496.95	1 st	2009
153.05	22128	First American Tax Service	1,349.97	1 st	2009
153.08	7.108 Condo	First American Tax Service	595.47	1 st	2009
153.08	19.289 Condo	First American Tax Service	595.47	1 st	2009
155	17	First American Tax Service	1,585.14	1 st	2009
175.08	96	First American Tax Service	2,585.37	1 st	2009
175.11	22	First American Tax Service	2,148.94	1 st	2009
178.02	313	First American Tax Service	1,130.63	1 st	2009
203.C	21	First American Tax Service	2,321.55	1 st	2009
203.D	25	First American Tax Service	2,336.63	1 st	2009
204.F	61	First American Tax Service	2,555.22	1 st	2009

14. Resolution approving an application for a Raffle License by Woods Road School and Home Association, Inc.

WHEREAS, an application for a raffle license has been filed by Woods Road School and Home Association Inc. for raffle being held on March 28, 2009; and

WHEREAS, the submitted application form was complete in all respects.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that it hereby approves the raffle

application #1129 to Woods Road School and Home Association Inc. for raffle being held on March 28, 2009.

CLAIMS LIST

Mayor DelCore presented Claims List 2009-04.

Upon motion by Committeeman Ferrera, seconded by Committeewoman McCauley, Claims List 2009-04 was unanimously approved upon call of the roll.

EXECUTIVE SESSION

EXECUTIVE SESSION RESOLUTION

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

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

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

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
 - *Litigation: Hillsborough Properties vs. Township of Hillsborough*
 - *Litigation: Township of Hillsborough vs. Sala*
 - *Negotiations: Escrow Agreement – GSA, Block 175, Lots 39.01 and 39.03; Block 177, Lots 23.01 and 23.03*
 - *Negotiations: Hillsborough Baseball League and the Township of Hillsborough*
 - *Contract negotiations: AFSCME AFL-CIO Local 3697, Council 73*
3. The Township Committee may take official action on those items discussed in Executive Session upon completion of the Executive Session.
4. The minutes of the discussions shall be made available to the public as soon as the matters under discussion are no longer of a confidential or sensitive nature.
5. This Resolution shall take effect immediately.

Executive Session commenced at

Committeeman Wagner motioned to come out of executive session at 11:49 p.m.; said motion was seconded by Committeeman Suraci and unanimously adopted by voice vote.

ADJOURNMENT

Upon motion by Committeeman Wagner, seconded by Committeeman Suraci, the meeting duly adjourned at 11:50 p.m., said motion carried unanimously upon voice vote.

Attested:

Kevin P. Davis, RMC
Township Clerk

