

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 PM on June 15, 2021.

CALL OF THE ROLL

Upon call of the roll, the following Committee members were recorded present: Mayor Shawn Lipani, Deputy Mayor Frank DelCore, Committeewoman Janine Erickson, Committeeman Doug Tomson and Committeeman Jeffrey Wright. Also in attendance were Township Administrator Anthony Ferrera, Township Deputy Clerk Sarah Brake and Township Attorney William Willard.

SALUTE TO THE FLAG

MAYOR STATES

Mayor Lipani advised that in accordance of section 5 of the Open Public Meetings Act, Chapter 231, of the Public Laws of 1975 that notice of this meeting was made by the posting on the bulletin board at the Hillsborough Township Municipal Complex and notifying the officially designated newspapers that this meeting would take place at the Hillsborough Township Municipal Complex at 7:30 p.m. on Tuesday, June 15, 2021.

APPROVAL OF MINUTES

1. MAY 11, 2021 REGULAR SESSION MINUTES

Upon a motion by Committeeman Doug Tomson, seconded by Deputy Mayor Frank DelCore, the May 11, 2021 Regular Session Minutes were approved upon the call of the roll.

2. MAY 25, 2021 REGULAR SESSION MINUTES

Upon a motion by Committeewoman Janine Erickson, seconded by Deputy Mayor Frank DelCore, the May 25, 2021 Regular Session Minutes was approved upon the call of the roll.

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

Committeewoman Erickson

Committeewoman Erickson reminded residents that a zoning permit is necessary before submitting a construction permit if planning to install a deck or a pool.

Committeewoman Erickson reported that the Engineering Department was informed that the PSE&G gas line upgrade project is completed on Triangle and South Triangle Roads as well as in the Meadowbrook Drive area. Repaving will start on June 16th with the milling and repaving in the Meadowbrook Drive area, including Crestwood Avenue, Cranbrook Avenue, Westbrook Avenue, Cumberland Road, Coronet Way, and Warwick Road. Residents are asked to remove their vehicles from the roadways on the day of paving.

Committeewoman Erickson stated Agricultural Science Instructor Erik Fargo and some of his students from Somerset County Vocational and Technical School, partnered with Joanne Powell and the South Branch Reformed Church to donate vegetable plants for Hillsborough residents served by the Community Assistance Network (C.A.N.). The students sowed seeds, applied nutrients and practiced natural pest control while caring for the lettuce, peas, spinach, tomatoes, peppers and basil plants over a 10 week period.

Committeewoman Erickson advised that the 2021 Parks & Recreation Summer Activities Guide is available now and registration is currently underway. The Family Campout and Fishing Derby is scheduled for August 6th and

includes: dinner, snacks, games, a movie under the stars, camping in the park and breakfast the next morning. The Fishing Derby is a separate fee from the campout and is open to anyone aged 14 and under.

Committeewoman Erickson announced the Parks & Recreation Department is currently taking registrations for the Co-Ed Fall Soccer for boys and girls ages 3 through Grade 12. All games are held on Saturdays at various soccer fields in town with the older divisions at the Iron Peak turf fields. They are also taking registrations for the Fall Girls Softball Leagues thru August 14th.

Committeeman Tomson

Committeeman Tomson congratulated Jack Macias on attaining his Eagle Scout award. Committeeman Tomson attended the Court of Honor.

Committeeman Tomson stated tickets for not having a license or registration at the time of a traffic stop can be paid online. However, a ticket for failure to provide an insurance card will require a virtual court appearance in order to present the insurance card to the judge.

Committeeman Tomson congratulated Hillsborough Police Officer Brian Gorka for running the entire length of the NJ Special Olympics Torch Run, beginning in Elizabeth and ending at Shoprite in Hillsborough for a total of 32.7 miles in over 6 hours. Officers Johnson, Gurba, and Kennedy joined in for the final leg. Hillsborough Township Police Department continues to be a source of pride and inspiration for the entire community.

Committeeman Tomson encouraged everyone to consider getting vaccinated in order to help everyone stay safe from Covid 19 as we navigate through the summer to fall and winter. Some useful tools include: Safer Covid 19 at safercovid19.com, an interactive web tool to help plan activities based upon the risk of the activity in relation to Covid 19 spread, and personal vulnerabilities., the Covid 19 App: at covid19.nj.gov/pages/app anonymously alerts users if they have been in close contact with a person with Covid 19.

Committeeman Tomson reminded residents to time lawn watering appropriately to save money and conserve water by watering lawns or gardens before 9 AM and after 7 PM to avoid water evaporation.

Committeeman Tomson stated that the Somerset County Board of County Commissioners is inviting everyone to join them for their inaugural Juneteenth Celebration to be held on Thursday, June 17th at 6pm on the Historic Somerset County Courthouse Green.

Committeeman Wright

Committeeman Wright reported that the Public Works department is busy with its routine maintenance schedule. Some of the items being addressed are: roadside mowing, building repairs, road repairs and maintenance and tree maintenance.

Committeeman Wright urged residents to please keep an eye on trees and plantings near the roadways and sidewalks to make sure that the proper height is maintained so that low hanging branches are not impacting the lane of travel or pedestrians that are walking.

Committeeman Wright announced there are plenty of days available for the Township Clean Up program.

Committeeman Wright advised that the Somerset County Board of Commissioners is pleased to announce the reopening of county facilities to the public beginning Tuesday, June 15th. This decision was made based on recommendations by state and federal healthcare mandates and guidelines issued by the Centers for Disease Control. In most facilities, the public is not required to wear masks if they are fully vaccinated, but those who have not been fully vaccinated are strongly encouraged to wear masks. Mask-wearing will be enforced for all visitors regardless of vaccination status at Richard Hall Community Health and Wellness Center and the Somerset County Jail as mandated by executive order 242. The public will be asked to check in at all county facilities in the main lobby.

Those with appointments will be able to proceed. Jury trials at the Somerset County Courthouse will resume soon. The Administration Building at 20 Grove St., Somerville is now open Monday to Friday from 8 a.m. to 4:30 p.m., except for holidays.

Deputy Mayor DelCore

Deputy Mayor DelCore reported senior citizens aged 65 and over who earn \$10,000 per year or less (not counting Social Security) might qualify for the \$250 senior property tax deduction. Seniors with a higher income threshold can also call the state of New Jersey to inquire about qualifications for the senior freeze program.

Deputy Mayor DelCore stated that the Township will once again be doing estimated tax bills for the August tax quarter. Residents can expect to receive that bill during the first week of July.

Deputy Mayor DelCore advised that the Hillsborough Business Association is a Township initiative to support local businesses with promotion and development programs.

Mayor Lipani

Mayor Lipani stated it was his honor to host the annual Salute to Veteran's breakfast on Saturday, May 29th where so many Hillsborough veterans braved the heavy downpours to join in and pay tribute to those who served and those who made the ultimate sacrifice. Grand Marshall Thomas Cellilli, who was presented with the Congressional Flag from Congressman Tom Malinowski, shared his sentiments on the meaning of Memorial Day. Hillsborough High School Chorale member Sabrina Schubert performed Amazing Grace and Marching Band Member Eric Duma performed Taps. The event concluded with the annual Roll Call of Veterans.

Mayor Lipani announced Hillsborough Township will be holding its 250th Anniversary parade on Saturday, September 18th at 10:00 am. The parade will follow the same route as the Memorial Day parade.

Mayor Lipani reminded residents of the Annual Family Fun Day and fireworks being held on Saturday, June 26th from 5:00 pm to 10 pm. Arrive early to enjoy food, games, and entertainment from the Journey tribute band "Frontiers." Shuttle busses to and from Family Fun Day will be available from both the High School and Middle School beginning at 5:00 p.m.

Mayor Lipani stated the bypass is now open.

Mayor Lipani advised that on Sunday, June 20th from noon until 4:00 p.m., the Somerset County Board of Agriculture is hosting a fun-filled day at Norz Farm. Activities include planting seeds, hayrides, farm equipment tours, and animal visits.

PROCLAMATIONS / APPOINTMENTS

1. HILLSBORO FARM 150TH ANNIVERSARY

WHEREAS, Hillsboro Farm is celebrating their 150th anniversary; and

WHEREAS, the Van Nuys family arrived from Amsterdam in 1685 and began farming in the Somerset County area in the 1700's. Jacob Van Nuys fought in the American Revolution and was stationed at the Neshanic Reformed Church; and

WHEREAS, Hillsboro Farm was created in 1867, and incorporated in 1871 in New Jersey by Peter Van Nuys, and the 6th, 7th, and 8th generations of the Van Nuys family continue to operate it today. The farm became a landmark in Holstein breeding and was the first farm to undertake artificial breeding of dairy cattle in 1938; and

WHEREAS, in February 1986 a fire destroyed 2 barns, took the lives of 2 calves and seriously burned 2 additional

calves. The main loss was the hay which was intended to feed the 270 cow herd throughout the winter and spring. 75 firefighters from 6 companies battled the fire; and

WHEREAS, in November 1987 Martin Van Nuys and his son, Kenneth Van Nuys were fatally electrocuted while moving a grain elevator. The entire farming community in Hillsborough and beyond provided assistance with the immediate needs of farming such as milking the cows and harvesting the soybeans; and

WHEREAS, originally a dairy farm, Hillsboro Farm now focuses on growing hay, straw, grain, fruits, and vegetables. It has expanded to include a second business known as Hillsboro Farm Country Market. The onsite market sells farm grown produce and products from other local farms; and

WHEREAS, Douglas Van Nuys, the son of Martin Van Nuys, now runs the farm along with his wife, Lynn, daughter, Julie Collins and her husband Matthew, daughter, Kate Mammaro, and nephew, Kyle, the son of Kenneth Van Nuys.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, congratulate the Hillsboro Farm on its 150th Anniversary and wish them much success in the future as a valued member of the Hillsborough Township community.

2. LAURYN PETERSON - AMSTERDAM TEACHER OF THE YEAR

WHEREAS, Lauryn Peterson, a First/Second grade Language and Learning Disabilities teacher, has the honor of being named as Amsterdam Elementary School's Governor's Educator of the Year for 2021 in recognition of her dedication and service to the Hillsborough School District; and

WHEREAS, Lauryn Peterson has been a member of the Hillsborough School District faculty for 6 years; and

WHEREAS, Lauryn Peterson has co-chaired the school wide 100th day celebration and the annual Autism Acceptance celebration. She and two colleagues developed a course on interprofessional practice in schools and their work was accepted to be presented at the 2021 American Speech-Language-Hearing Association Convention in Washington D.C.; and

WHEREAS, Lauryn Peterson has served as a Turnkey Trainer for the district for 2 years. As a Turnkey Trainer, Lauryn has developed and co-developed professional development courses that she facilitates to colleagues within the district; and

WHEREAS, Lauryn Peterson just received her Master of Special Education-Autism Spectrum Disorder Degree from Rowan University; and

WHEREAS, Amsterdam Elementary School is proud to name Lauryn Peterson as their Teacher of the Year.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, further commend Lauryn Peterson for being recognized as Amsterdam Elementary School's Governor's Educator of the Year and we thank her for all her work and dedication to Hillsborough's youth.

3. SABRINA SCHUBERT - NEW JERSEY GOVERNOR'S AWARD

WHEREAS, Hillsborough High School Senior and future freshman of Oberlin College and Conservatory, Sabrina Schubert, has been named the 2021 recipient of the New Jersey Governor's Award in Arts Education from the New Jersey Music Education Association (NJMEA) All State Chorus; and

WHEREAS, the Governor's Awards in Arts Education began in 1980 to promote awareness and appreciation of the arts, recognizing the creativity, talent, and leadership of the award winners;

WHEREAS, each year national and statewide organizations select students for their exemplary work in creative writing, speech, dance, music, theatre, and visual arts. Awards are presented to approximately 80 students of which Sabrina was one of them; and

WHEREAS, Sabrina was also a finalist receiving an Honorable Mention in the 2021 Eastern Region NATS Vocal Competition and the Highest Scoring Soprano I in the 2019 CJMEA Region II Honors Chorus. She received the Maestro Award for Outstanding Soprano Soloist at the 2018 World Strides Heritage Music Festival in Montreal and is a member of the Princeton Girls Choir Ensemble; and

WHEREAS, Sabrina is an Executive Board member of the Hillsborough High School Tri-M Music Honor Society, and a member of the Hillsborough High School Mixed Chorale, Choir Council, Theatre, Cardinal Voices, and BoroTones; and

WHEREAS, Sabrina volunteers at Lend A Voice-A Capella Group and at Gigi's Playhouse.

NOW, THEREFORE BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby congratulate Sabrina Schubert for receiving the New Jersey Governor's Award in Arts Education from the New Jersey Music Education Association All State Chorus and wish her well in all her future endeavors.

4. PRIDE MONTH

WHEREAS, the month of June was designated Pride Month to commemorate the Stonewall Riots which occurred in June of 1969 and are generally recognized as the catalyst of the Lesbian, Gay, Bisexual, Transgender, Queer, Plus (LGBTQ+) Rights movement; and

WHEREAS, the nation was founded upon and is guided by a set of principles that includes every person has been created equal, that each has rights to their life, liberty, and the pursuit of happiness and that each shall be accorded the full recognition and protection of the law; and

WHEREAS, the Centers for Disease Control (CDC) recognizes that LGBTQ+ teens are at higher risk to be the victims of violence and have increased suicide rates. It is imperative that young people in the community, regardless of sexual orientation or gender identity, feel valued, safe, empowered, and supported by their peers, educators, and community leaders; and

WHEREAS, Hillsborough Township is dedicated to fostering acceptance of all its citizens and preventing discrimination and bullying based on sexual orientation and gender identity. Our community is strengthened by and thrives upon the rich diversity of ethnic, cultural, racial, gender, and sexual identities of its residents, all of which contribute to the vibrant character of our Township.

WHEREAS, the Township of Hillsborough is a welcoming community and an exceptional place to live, learn, work, play, and raise a family; and

WHEREAS, the Hillsborough Township LGBTQ+ community is a vital part of all fields and professions and contributes to a stronger community; and

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Mayor and the Hillsborough Township Committee, do hereby recognize June as Pride Month.

BE IT FURTHER PROCLAIMED, that we, the Mayor and the Hillsborough Township Committee urge all residents to recognize the contributions made by members of the LGBTQ+ community and to actively promote the principles of equality and liberty.

PRESENTATIONS

1. BORO SAFE - HOPE FOR TOMORROW POSTER CONTEST WINNERS

Mayor Lipani stated BoroSafe, Hillsborough's community collaborative group dedicated to mental health awareness and suicide prevention, hosted the Hope for tomorrow Mental Health & Wellness Fair on Friday, May 14th from 5-7 pm outdoors on the grounds of the Municipal Complex. BoroSafe's mission is to provide access to mental health resources, emotional well-being best practices and suicide prevention resources across the entire Hillsborough Community. The Hope for Tomorrow event literally brought BoroSafe's mission to life. BoroSafe identifies six dimensions of mental health and wellness, including spiritual, intellectual, physical, emotional, social, and occupational, and the fair showcased resources from a variety of local organizations representing each of these dimensions. There was a poster contest open to all Hillsborough Township students. The theme was: Exercise Your Emotions! How do you make yourself feel good?. Students were encouraged to create a poster showing how they take care of their feelings and what they do to take care of themselves. All posters were displayed and voted on by community members who attended the event. The top 6 poster were: Akshya Sureshkumar-5th grade, Eva Tripathi-6th grade, Anagha Dingari-6th grade, Vahin Sahu-kindergarten, Jaya Dave-6th grade, and Yuna Lee- 2nd grade. All the posters are on display in the hallway leading to the library.

2. WILDLIFE MANAGEMENT COMMISSION PRESENTATION

Bob Matros stated the program had a 100 percent safety record again this year. A total of 158 deer were harvested and 27 deer or approximately 1000 pounds were donated. Motor vehicle collisions were down again this year. Mr. Matros thanked Township Deputy Clerk Sarah Brake for all her help with the emails and reports. New applications are due July 12th and the lottery will be held July 21st.

NEW BUSINESS

None.

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

Maria Janucik, 720 E Frech Ave, Manville - asked if Committeewoman Erickson and Committeeman Wright received and read her letter. Committeewoman Erickson responded yes and that it was before her time and deferred to the Township Committee's prior advice that she contact the county Prosecutor's Office with any additional allegations. Committeeman Wright responded yes and that it was before his time and suggested she call him to discuss further and bring him up to date.

Ms. Janucik asked if the Sherman property had been sold yet by the Township. Mayor Lipani replied no.

Ms. Janucik asked why Hillsborough residents are paying sewer bills to Manville. Township Attorney Bill Willard stated some property sewers are shared with Manville and owners have to pay the share owed to Manville.

Thomas Gadow, 32 Flemming Drive, Heritage Green asked about the sidewalk replacement in the development which resulted in a proposal to remove 220 trees and suggested the Environmental Commission address the issue. Deputy Mayor DelCore stated that is not what the environmental commission does. Mayor Lipani advised the project is almost 1 million dollars. Several proposals were submitted to the home owners association. The decision by the HOA was to replace the sidewalks and they were not concerned about the trees. The Township is not doing anything until it receives a signed affidavit from the HOA as to the work to be done. Mr. Gadow said there are alternatives to cutting down trees to replace sidewalks. Deputy Mayor DelCore clarified that the township did not rush into the decision to cut down trees. The Engineering team has been looking into it for years. It is a safety issue. Township Administrator Ferrera stated he would like a copy of petition and a list of the alternatives as he has been

working with the HOA and Township Engineer Tom Belanger.

Marv Shah, Heritage Green stated he also wanted to discuss the removal of 220 trees and point out cutting down trees is not cheap and suggested putting money in escrow for future sidewalk repairs. Mayor Lipani stated that is not a viable option as the sidewalks currently present a safety hazard.

Roger Koch, 53 Taurus Drive asked why that specific tree design was done and questioned why the affordable housing ordinance was not updated until now. Mayor Lipani stated streetscape design plans were the standard at the time many years ago and it is no longer the standard because of the root problem it has created. Township Attorney Eric Bernstein stated the ordinance required updating because of court rules from 2015 and as a result of the various settlement agreements. The object is to bring the Township into compliance with the current rules and regulations. Every municipality in the state is currently updating their ordinances to bring them into compliance. While some changes have been made throughout the years, this is the most comprehensive update. Committeeman Tomson stated the township has had a court master overseeing Hillsborough's affordable housing obligations since 2000 and it was the Hillsborough Promenade development bringing Kohl's and Lowe's and other stores instead of affordable housing units many years ago that has greatly added to the affordable housing issues faced by Hillsborough.

Meryl Bisberg, 4 Hickory Hill Road stated the Memorial Day event was amazing and that she is aware of the petition and is concerned about how many other developments might be effected and the cost to the Township. Mayor Lipani stated it was considered best practices at the time to plant the trees close to the street. Township Attorney Bernstein commented in his hometown of Clifton the residents had to pay for their own repairs. Committeeman Tomson stated that the Heritage Green neighborhood is the worst for trees uprooting sidewalks. Deputy Mayor DelCore advised keeping both the trees and the sidewalks is not a viable option.

PUBLIC HEARINGS

1. 2021-08 AN ORDINANCE AMENDING CHAPTER 166 “FIRE PREVENTION” OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY.

BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Chapter 166 “Fire Prevention” of the Code of the Township of Hillsborough, County of Somerset, State of New Jersey, shall be amended as follows (**additions are underlined, deletions are ~~stricken~~**):

Section 1. § 166-3 “Enforcement” shall be amended as follows:

§ 166-3 Enforcement.

Enforcement of the technical regulations promulgated under this article shall be by the ~~Chief~~ Fire Official for the Board of Fire Commissioners.

Section 2. § 166-11 "Appointment; term of office; Fire Marshals and employees; removal" shall be amended as follows:

§ 166-11 Appointment; Term of Office; Fire Marshals and Employees; Removal.

A. Appointment of ~~Chief Fire Marshal~~ Fire Official. The Fire Official ~~Chief Fire Marshal~~ shall be appointed by the Township Committee ~~upon the recommendation of the Hillsborough Township Board of Fire Commissioners.~~

B. Term of office. The ~~Chief Fire Marshal~~ Fire Official shall serve a term of four years.

C. Fire Marshals, Career Firefighters and Employees. The Hillsborough Township Committee, ~~upon recommendation of the Hillsborough Township Board of Fire Commissioners,~~ shall appoint such ~~Fire Marshals and~~ other employees as may be necessary to carry out all required ~~inspection activity~~ duties in the Fire District. Such

~~Fire Marshals~~ employees shall be under the supervision and control of the Chief Fire Marshal or District Fire Chief.

D. Removal from office. ~~The Chief Fire Marshal, Fire Marshals and other employees of the enforcing agency~~ Employees shall be subject to removal by the Hillsborough Township Committee ~~upon the recommendation of the Hillsborough Township Board of Fire Commissioners for inefficiency or misconduct. Each Fire Marshal or~~ employee to be so removed shall be afforded an opportunity to be heard by the appointing authority in accordance with the IAFF local 4897 labor contract ~~the Hillsborough Township Personnel Policies Ordinance.~~

Section 3. All other ordinances or other local requirements that are inconsistent or in conflict with this ordinance are hereby repealed to the extent of any inconsistency or conflict, and the provisions of this ordinance shall apply.

Section 4. If any provisions of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.

Section 5. This ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Upon a motion by Deputy Mayor Frank DelCore, seconded by Committeeman Doug Tomson, to open the public hearing on Ordinance 2021-08, the motion was unanimously approved upon the call of the roll.

Upon a motion by Committeeman Doug Tomson, seconded by Committeewoman Janine Erickson, to close the public hearing and adopt Ordinance 2021-08, the motion was approved upon the call of the roll.

2. 2021-10 AN ORDINANCE AMENDING THE SALARY ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH TO INCLUDE NEW POSITIONS AND SET SALARY RANGES.

WHEREAS, the following positions and salary ranges need to be added to the salary ordinance:

Part-Time Property Maintenance/Code Enforcement Officer at a salary range of \$15.00/hour to \$28.00/hour
Part-Time Building Maintenance at a salary range of \$15.00/hour to \$28.00/hour
Part-Time Pubic Works Administrative Assistant at a salary range of \$12.00/hour to \$22.00/hour
Zoning Official at a salary range of \$45,000/yr to \$95,000/yr
GIS Specialist/Assistant Planner at a salary range of \$45,000/yr to \$95,000/yr

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Township Salary Ordinance be amended to include the aforementioned positions and salary ranges with the appropriate sums being appropriated. This ordinance shall take effect upon final adoption and publication to law.

Upon a motion by Committeewoman Janine Erickson, seconded by Committeeman Doug Tomson, to open the public hearing on Ordinance 2021-10, the motion was unanimously approved upon the call of the roll.

Maria Janucik, 720 E. Frech Ave, Manville questioned all the positions asking if they were newly created. Township Administrator Anthony Ferrera went through each one listed.

Meryl Bisberg, 4 Hickory Hill Road asked about the prior salary ordinance. Township Attorney Bill Willard explained the initial ordinance left off some things so that was tabled and a new ordinance was introduced. Township Deputy Clerk Brake stated it was available on Civic Clerk.

Upon a motion by Committeeman Doug Tomson, seconded by Committeewoman Janine Erickson, to close the public hearing and adopt Ordinance 2021-10, the motion was approved upon the call of the roll.

INTRODUCTION OF NEW ORDINANCES

None.

CONSENT**1. RESOLUTION AUTHORIZING THE FINAL PAYMENT AND ACCEPTANCE OF MAINTENANCE BOND FOR 2020 CAPITAL ROADWAY RESURFACING PROJECT**

WHEREAS, the Township awarded a contract to Top Line Construction Corporation for the 2020 Capital Roadway Resurfacing Project; and

WHEREAS, the Assistant Township Engineer certifies all work has been satisfactorily completed and recommends the following actions: (1) release final payment to Top Line Construction Corporation in the amount of \$476,347.67; and (2) accept 10% Maintenance Bond No. CA-3349396M from Great American Insurance Group in the amount of \$191,175.16.

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

2. RESOLUTION AUTHORIZING THE REFUND OF RECREATION PROGRAM FEES

WHEREAS, there are refunds due from Recreation program fees; and

WHEREAS, the Chief Financial Officer has received proof of such refunds being due and payable.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Chief Financial Officer is hereby authorized to refund said amounts as detailed below.

Carolyn Romanoski	\$599.00
Brittnee Hagerty	\$599.00
Christina Holtham	\$599.00
Pryia Guhan	\$1,050.00
Janet Long	\$375.00
Nimmi Kalinati	\$1,099.00
Richard Mancino	\$280.00
Prasad Surampudi	\$24.00
Tina Rear	\$12.00

3. RESOLUTION APPROVING THE RELEASE OF CASH ESCROW IN THE AMOUNT OF \$4,489.57 FOR HILLSBOROUGH CHASE DEVELOPMENT ORCHARD DRIVE IMPROVEMENTS

WHEREAS, a cash escrow was provided to the Township by Toll Brothers for the Hillsborough Chase Development Orchard Drive Improvements including a traffic study and potential changing of a portion of Orchard Drive to one way; and

WHEREAS, the Assistant Township Engineer certifies that all work for Orchard Drive which was part of the approval for Hillsborough Chase Development has been satisfactorily completed and recommends the Township

Committee authorize the release of the cash escrow in the amount of \$4,489.57 to Toll Brothers.

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

4. RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE REPAVING OF AMSTERDAM DRIVE PHASE 2

WHEREAS, each year the Township submits a grant application to receive funding from the New Jersey Department of Transportation Municipal Aid Program; and

WHEREAS, the Assistant Township Engineer recommends the submission of a grant application to receive funding from the New Jersey of Transportation Municipal Aid Program for the repaving of Amsterdam Drive Phase 2 between Vliet Drive and Murphy Drive; and

WHEREAS, the Township has already received a grant from the New Jersey Department of Transportation Municipal Aid Program for Amsterdam Drive Phase I and this would be the next section of Amsterdam Drive.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that: (1) the Township Committee approves the submission of a grant application for the above state project; (2) the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA 2022 - Amsterdam Drive Phase 2 - Sage ID number 00227 to the New Jersey Department of Transportation on behalf of Hillsborough Township; and (3) the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Hillsborough Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approval of the execution of the grant agreement.

5. RESOLUTION AUTHORIZING AGREEMENT WITH HILLSBOROUGH FIRE DISTRICT FOR PROVISION OF PAYROLL SERVICES

WHEREAS, the Township currently processes the payroll for full and part time employees of the Hillsborough Fire District including salary, health, FICA, unemployment, life insurance, disability and pension, where applicable, for which the Hillsborough Fire District reimburses the Township for the full costs thereof; and

WHEREAS, Township and Hillsborough Fire District wish to memorialize said arrangement by way written Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the attached Agreement between the Township of Hillsborough and the Hillsborough Fire District for Payroll Services is hereby approved and the Mayor and the Township Clerk are authorized to execute the Agreement.

6. RESOLUTION RATIFYING AND CONFIRMING PERMANENT STATUS TO LIEUTENANT JOHN CARNEY EFFECTIVE APRIL 13, 2021

WHEREAS, Sgt. John Carney was appointed to the position of Lieutenant on October 13, 2020 for a six month probationary period; and

WHEREAS, Chief of Police Mike McMahon has certified that Lt. Carney has successfully completed the probationary period; and

WHEREAS, Chief of Police Mike McMahon recommends that permanent status be conferred upon Lt. John Carney as of April 13, 2021.

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, and Lt. John Carney is granted Permanent Employee Status as of April 13, 2021.

7. RESOLUTION AUTHORIZING OFFICER ERIC LISANTI TO ENROLL IN FOUR (4) COURSES AT PENNSYLVANIA STATE UNIVERSITY PURSUANT TO ARTICLE XVIII OF THE PBA CONTRACT

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 PBA contract; and

WHEREAS, Officer Eric Lisanti is requesting authorization to take "Psych of Fear and Stress", "Senior Seminar Psychology", "Work and Occupations", and "Employment Law" courses towards his Bachelor's Degree in Psychology with a Business Certificate through Pennsylvania State University; and

WHEREAS, Officer Lisanti has requested consideration under the Township's Educational Assistance provision upon successful completion of the aforementioned courses; and

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

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.

8. RESOLUTION APPROVING THE APPLICATION FOR A SPECIAL PERMIT FOR A SOCIAL AFFAIR FOR NJ AGRICULTURE SOCIETY TO BE HELD ON JUNE 20, 2021

WHEREAS, an application for a Special Permit for Social Affair has been filed by the NJ Agriculture Society for an event to be held on June 20, 2021; and

WHEREAS, the submitted application is complete.

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 the NJ Agriculture Society for an event to be held on June 20, 2021

9. RESOLUTION AUTHORIZING EXECUTION OF APPLICATION TO DELAWARE AND RARITAN CANAL COMMISSION FOR THE BROWN AVENUE EXTENSION PROJECT

WHEREAS, a project has been proposed to extend Brown Avenue from Route 206 to Somerville Business Park to keep truck traffic off of local roads; and

WHEREAS, the project requires application and permit approval from the Delaware and Raritan Canal Commission; and

WHEREAS, the Assistant Township Engineer has reviewed the project plans and recommends submitting the

Application to the Delaware and Raritan Canal Commission.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the recommendations of the Assistant Township Engineer are hereby accepted and approved and the Township Administrator is authorized to execute the Application to the Delaware and Raritan Canal Commission pertaining to the extension of Brown Avenue.

10. RESOLUTION AUTHORIZING HIRING OF WILLIAM THOMSON AS A PART-TIME BUILDING INSPECTOR AND ROBERT VANDENBERG AS A PART-TIME ELECTRICAL INSPECTOR IN THE HILLSBOROUGH BUILDING DEPARTMENT

WHEREAS, there exists a need for a part-time Building Inspector and a part-time Electrical Inspector in the Township of Hillsborough Building Department; and

WHEREAS, the Construction Official recommends the hiring of William Thomson as a part-time Building Inspector and Robert Vandenberg as a part-time Electrical Inspector effective June 16, 2021, both at an hourly rate of \$33.00, not to exceed 116 hours per month.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Construction Official is authorized to hire William Thomson as a part-time Building Inspector and Robert Vandenberg as a part-time Electrical Inspector effective June 16, 2021 both at an hourly rate of \$33.00 not to exceed 116 hours per month.

11. RESOLUTION AUTHORIZING THE HIRING OF VANESSA MIRANDA TO THE POSITION OF CLERK TO THE TREASURER/TAX COLLECTOR

WHEREAS, there exists a vacancy in the position of Clerk to the Treasurer/Tax Collector; and

WHEREAS, the CFO/Tax Collector and the Township Administrator recommend the hiring of Vanessa Miranda as Clerk to the Treasurer/Tax Collector at an annual salary of \$38,000.00, effective July 6, 2021.

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 CFO/Tax Collector and the Township Administrator is hereby be accepted and approved.

12. RESOLUTION AUTHORIZING THE HIRING OF THOMAS KOEPFLER TO THE POSITION OF ELECTRICAL SUBCODE OFFICIAL IN THE BUILDING DEPARTMENT

WHEREAS, there is a need for a full-time Electrical Subcode Official in the Building Department; and

WHEREAS, the Construction Official recommends the hiring of Thomas Koepfler to the position of Electrical Subcode Official in the Building Department at an annual salary of \$85,000, effective July 1, 2021.

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 Construction Official is hereby accepted and approved and Thomas Koepfler is hired for the position of Electrical Subcode Official in the Building Department at an annual salary of \$85,000, effective July 1, 2021.

13. RESOLUTION AUTHORIZING THE HILLSBOROUGH TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS

WHEREAS, the Hillsborough Township Finance Office may be unable to mail the Township's 2021 tax bills on a timely basis, if the Somerset County Tax Board cannot issue a certified tax rate at this time; and

WHEREAS, the Hillsborough Township Chief Finance Officer/Tax Collector has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and has signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

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 Hillsborough Township Tax Collector is hereby authorized to prepare and issue estimated tax bills, if deemed necessary by the Tax Collector, for the Township for the third installment of 2021 taxes. The Tax Collector shall proceed upon approval, if required, from the Director Division of Local Government Services, and take such actions as are permitted and required by N.J.S.A. 54:4-66.2 and 54:4-66.3.
2. The entire estimated tax levy for 2021 is hereby set at \$158,181,901.06.
3. In accordance with law the third installment of 2021 taxes shall not be subject to interest until the later of August 10th or the twenty-fifth calendar day after the date the estimated tax bills are mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

14. RESOLUTION AUTHORIZING THE PURCHASE OF A 2022 ELKHART COACH BUS

WHEREAS, the Director of Social Services has determined there is a need for the purchase a new bus for Social Services; and

WHEREAS, Alliance Bus Group, Inc., was awarded a contract through the Educational Service Commission of New Jersey of which the Township is a member; and

WHEREAS, the Director of Social Services and Qualified Purchasing Agent recommend the purchase be made from Alliance Bus Group in an amount not to exceed \$75,561.72 through ESCNJ Contract #19-20-36; and

WHEREAS, the Chief Financial Officer certifies there are sufficient funds in account #C-04-55-919-550 for this purchase which included a \$21,000.00 donation from the Hillsborough Rotary Club.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the purchase of a 2022 Elkhart Coach Bus from Alliance Bus Group, in an amount not to exceed \$75,561.72, through ESCNJ Contract #19-20-36, for the Social Service Department is hereby authorized and approved.

15. RESOLUTION AUTHORIZING AWARD OF CONTRACT TO JOSEPH M. SANZARI, INC., FOR THE MILLING & PAVING OF WARWICK ROAD

WHEREAS, the Assistant Township Engineer has determined that it would be advantageous and cost effective to have Warwick Road included in the milling and paving that PSE&G will be providing based on the PSE&G gas line projects; and

WHEREAS, a solicitation for quotes was prepared and distributed for said services; and

WHEREAS, two (2) quotes were received as follows:

Joseph M. Sanzari Inc.	\$26,760.00
Top Line Construction Corp.	\$31,720.00

WHEREAS, the Assistant Township Engineer and Qualified Purchasing Agent recommend the award of a contract to Joseph M. Sanzari, Inc., in an amount not to exceed \$26,760.00, for the milling and paving of Warwick Road.

WHEREAS, the Chief Financial Officer certifies there are sufficient funds in account #C-04-55-814-900 for these products and services.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that a contract is hereby awarded to Joseph M. Sanzari, Inc., in an amount not to exceed \$26,760.00 for the milling and paving of Warwick Road.

16. RESOLUTION GRANTING PERMANENT EMPLOYEE STATUS TO MELISSA SHEPPARD-DAVIS, Logan Horvath AND DORIS MILLER IN THE TAX ASSESSOR'S OFFICE

WHEREAS, Melissa Sheppard-Davis and Logan Horvath were hired as Field Inspector/Assessment Clerks in the Tax Assessor's Office on March 2, 2021 and Doris Miller was hired as an Administrative Assistant in the Tax Assessor's Office on March 10, 2021; and

WHEREAS, the Tax Assessor certifies that Ms. Sheppard-Davis, Ms. Horvath, and Ms. Miller have performed their duties and assignments in a capable and competent manner; and

WHEREAS, having completed the three-month probationary period, the Tax Assessor recommends that regular employee status be conferred upon Ms. Sheppard-Davis and Ms. Horvath effective June 2, 2021 and upon Ms. Miller effective June 10, 2021.

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 Tax Assessor is accepted and approved.

Upon a motion by Committeeman Doug Tomson, seconded by Committeewoman Janine Erickson, the consent agenda was unanimously approved upon the call of the roll.

Township Administrator Anthony Ferrera congratulated and welcomed all the new employees in regards to resolutions 10, 11 and 12.

Committeeman Wright with regard to consent #4 stated he is very pleased that the paving of Amsterdam Drive will be done shortly and almost all through grant money.

Maria Janucik, 720 E. Frech Ave, Manville, in regards to consent # 1 asked what the total cost was, regarding #5 what is the purpose of the resolution, and #9 why an application was made to the Delaware and Raritan Canal Commission. Mayor Lipani and Township Attorney Bill Willard stated the final cost was \$1,911,161.85 and listed the roads that were paved. Township Attorney Bill Willard stated #5 is just memorializing a hand shake agreement to process the Fire District payroll. Mayor Lipani advised an application was made regarding the Brown Avenue extension program.

CLAIMS LIST

1. 2021-11

Mayor Lipani asked to approve Claims List 2021-11.

Upon a motion by Deputy Mayor Frank DelCore, seconded by Committeeman Doug Tomson, Claim List 2021-11, was approved upon the call of the roll.

Maria Janucik, 720 E. Frech Ave, Manville asked about the supplemental check and lien redemption. CFO Nancy Costa explained the term manual was changed to supplemental and explained the line redemption process. Mayor

Lipani explained it is sometimes necessary to cut a check in between Township Committee meetings.

EXECUTIVE SESSION

1.

- **LITIGATION/AFFORDABLE HOUSING - CAMPUS ASSOCIATES**
- **ATTORNEY CLIENT PRIVILEGE/SALE OF REAL PROPERTY - MINDEL PROPERTY**
- **ATTORNEY CLIENT PRIVILEGE/PROPERTY ACQUISITION - WESTON LANDFILL**

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 the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
 - Litigation/Affordable Housing - Campus Associates
 - Attorney Client Privilege/Sale of Real Property - Mindel Property
 - Attorney Client Privilege/Property Acquisition - Weston Landfill
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.

Upon a motion by Committeeman Jeffrey Wright, seconded by Deputy Mayor Frank DelCore, the aforesaid resolution was unanimously approved upon call of the role. The Township Committee went into Executive Session at 9:35 pm.

Upon a motion by Committeeman Doug Tomson, seconded by Committeewoman Janine Erickson, the public meeting was re-opened at 9:54 pm.

Township Attorney Eric Bernstein stated a discussion was had with CFO Costa and Township Attorney Willard regarding the Mindel property, no further action is necessary at this time. A discussion was had regarding the Weston landfill, direction was give and no further action is necessary at this time. An update was given on the Campus Associates litigation and Mr. Bernstein asked the committee to introduce an ordinance to amend, revise, and supplement Chapter 188, Section 106 H to start the compliance process per the Judge's order.

POST EXECUTIVE SESSION INTRODUCTION OF NEW ORDINANCES

1. 2021-12 AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 188 “LAND USE AND DEVELOPMENT”, ARTICLE V “DISTRICTS STANDARDS”, SECTION 188-106, “L-1, L-2, L-3 LIGHT INDUSTRIAL DISTRICTS, MOST NOTABLY SECTION 188-106 H, ENTITLED “MULTIFAMILY INCLUSIONARY OVERLAY DISTRICT” OF THE TOWNSHIP CODE OF

HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY. FURTHER CONSIDERATION OF THIS ORDINANCE AND PUBLIC HEARING WILL BE HELD ON JULY 13, 2021.

WHEREAS, pursuant to an Order entered by the Honorable Kevin M. Shanahan, P.J.Cv. on June 7, 2021, the Township is required to amend its Zoning Ordinance in order to make the application submitted by Campus Associates, LLC (“Campus”) to the Township of Hillsborough Planning Board (the “Planning Board”) for preliminary and final major site plan to permit the construction of an inclusionary residential development containing ninety-six (96) units, twenty-three (23) of which would be set-aside as affordable, fully conforming without the need for any variance or waiver relief; and,

WHEREAS, it is the intent of this Ordinance to permit Campus’ proposed development “as-of-right” subject to reasonable conditions as may be imposed by the Planning Board.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that Section 188-106 H(9) of the Township Code, entitled “Supplemental Regulations”, is hereby amended, revised and supplemented so as to add two (2) additional paragraphs (h) and (i), which shall read as follows:

- (h) There shall be a fifty (50’) foot buffer for the stream corridor that is located on the property. The Township’s Stream Corridor Ordinance, which provides for a one hundred and fifty (150’) foot buffer, shall not be applicable.
- (i) There shall not be any obligation on the developer of the project to provide a downstream drainage study with respect to the viability of the forty two (42”) inch pipe that is located under Dukes Parkway.

NOW, THEREFORE, BE IT FURTHER ORDAINED that all other provisions of Section 188-106 H of the Township Code shall remain in full force and effect.

Upon a post executive session motion by Committeeman Doug Tomson, seconded by Deputy Mayor Frank DelCore, to introduce Ordinance 2021-12, the motion was unanimously approved upon the call of the roll.

ADJOURNMENT

Upon a motion by Committeeman Doug Tomson, seconded by Deputy Mayor Frank DelCore, the meeting duly adjourned at 9:58 pm. Said motion was unanimously carried upon voice vote.

Attested:



Sarah Brake
Deputy Clerk