

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 6:00 PM on June 22, 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, Deputy Clerk Sarah Brake, Township Attorney Eric Bernstein 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 6:00 p.m. on Tuesday, June 22, 2021.

APPROVAL OF MINUTES

1. NONE

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

Committeewoman Erickson

Committeewoman Erickson stated the Hillsborough Building Department commonly is asked "Do I need a Certificate of Occupancy for the resale of a residential property?" The answer is "No", the Hillsborough Building Department does not issue a CO for the resale of a residential property. Owners must call the Fire Safety Department at 908-369-5856 to schedule a Smoke Detector Certification inspection.

Committeewoman Erickson reported that the Engineering Department would like to remind property owners that any construction project that involves digging into the ground requires calling the "Call Before You Dig" 811 call center to have all underground utilities marked out before construction. These mark-outs consist of colored flags and/or colored wearable paint on the street or in your front yard. Utilities are not only in the street but they can also be within the right-of-way which is the first 10 to 20 feet of a front yard within the grass area.

Committeewoman Erickson announced that the Family Campout and Fishing Derby are back by popular demand on August 6th, the campout 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.

Committeeman Tomson

Committeeman Tomson stated despite most lifting restrictions, the Judiciary is still mandating Municipal Courts to hold court virtually. If individuals wish to appear in person, contact the court office to make arrangements.

Committeeman Tomson reminded residents not to leave their pets in cars unattended, especially during days with extreme heat.

Committeeman Tomson advised that as part of the sustainability effort, the health department has developed a lead education outreach program that can be found on the department website.

Committeeman Tomson reported that the health department will sponsor another Covid 19 vaccination clinic on Thursday, June 24th from 4 to 7 pm at the municipal building utilizing the Janssen (J&J) Vaccine to those ages 18 and up. Walk-ins are welcome.

Committeeman Tomson stated that the health department conducted clinics for second vaccinations at the municipal building on Saturday, June 12th and at Reckitt Benckiser and G&J Steel Tubing on June 18th. Any industrial site or business that would like to set up a vaccination clinic at their facility should contact the health department at 908-369-5652.

Committeeman Tomson advised that with the passed legislation regarding the banishment of single-use paper and plastic bags taking effect by May 2022, local Hillsborough High School student Tvisha Faria is looking for responses from consumers to her survey on businesses' sustainable packaging. Her goal is to speak with elected county officials to show that consumers do value sustainable packaging and want an eco-friendly environment. Please note that personal information will not be shared. Please see tomorrow's Mayor's e-newsletter for the link to take the survey.

Committeeman Wright

Committeeman Wright stated that the Hillsborough Township Clean Communities wants to thank all the volunteers who participated in the plogging event held on Saturday, June 12th. Most of the plogging activities centered around the Triangle Rd and surrounding areas. Clean Communities would like to remind residents to dispose of trash responsibly and practice carry in, carry out procedures at parks and sporting events. Plogging is a movement that started in Sweden that is a combination of picking up litter and jogging.

Committeeman Wright reminded residents that registration for the annual clean up program is ongoing on Community Pass through the end of October and dates are filling up. If the site is closed, please do not dump debris in front of the gate as this is considered illegal dumping which carries a fine up to 90 days in jail or \$1,250.

Deputy Mayor DelCore

Deputy Mayor DelCore reported the American Farmland Trust is conducting their 12th annual Farmers Market Celebration. Residents can help Hillsborough's own Duke Farms Market become #1 in 2021 by casting a vote. Voting closes on September 19, 2021. Visit markets.farmland.org to vote.

Deputy Mayor DelCore advised Duke Farmers Market is open every Sunday May - December from 10AM - 2PM. They offer a variety of local produce, jams, meats, eggs, soup, and more.

Deputy Mayor DelCore invited residents to join BoroSafe and the Hillsborough community as it celebrates the legacy of Jason Walton, a Hillsborough Highschool Track & Field Athlete who died by suicide. Jason's mother, Linda Walton started the annual race to continue her son's legacy and to raise awareness for BoroSafe and suicide prevention. The race will take place on August 29 at 9:00 a.m. and begins and ends at the Municipal Building.

Deputy Mayor DelCore warned residents to guard against identity theft by bringing personal documents to Operation Secure Shred. Residents can take advantage of a free, easy and secure way to get rid of personal documents on Saturday, June 26, at the Franklin Township Sewerage Authority, 70 Commerce Drive, Somerset, NJ 08873, from 9 a.m. to 1 p.m., or until the trucks are filled to capacity. The event will occur rain or shine. Facial coverings are required and while residents should be prepared to unload their items, staff will be available to offer assistance if necessary. Residents must also be prepared to present a current driver's license, valid lease, tax bill or any other bill that shows proof of a Somerset County address.

Deputy Mayor DelCore stated now that certain fireworks are legal in New Jersey, some safe practices when shooting off fireworks include: use legal fireworks away from structures including homes, decks and sheds, avoid setting off fireworks near trees, wooded areas and areas around the home with mulch, and keep fireworks away from children

and soak spent fireworks in water before throwing them in the garbage.

Mayor Lipani

Mayor Lipani announced Family Fun Day is this Saturday, June 26th, beginning at 5:00 p.m., to celebrate Hillsborough Township's 250th anniversary with games, prizes, food, and inflatable slides and other attractions. Music begins at 7:00 p.m. with the Journey tribute band "Frontiers," followed by fireworks after dark. Shuttle buses from Hillsborough Middle School and Hillsborough High School will be available beginning at 5:00 p.m.

Mayor Lipani reported that the annual Rotary Fair and Business Expo will once again transform the Hillsborough Promenade into a classic carnival with a colorful midway, over 20 amusement rides, games of chance, fireworks, food vendors and an exposition of local businesses. The Rotary Fair will open for five days beginning Tuesday, August 17th. Fair hours are 6 – 10 PM on Tuesday through Thursday, and 6 – 11 PM on Friday and Saturday. In addition to the Fair's classic thrill rides, food vendors, games of chance and an exposition of local businesses, a spectacular firework display by Interstate Fireworks and sponsored by Petrock's Bar & Grille and Petrock's Liquors, will light up Hillsborough skies on Friday evening, August 20th, at approximately 10 PM. Rain date is Saturday August 21st, 10 PM.

PROCLAMATIONS / APPOINTMENTS

1. WILLIAM HUNT- PRESIDENTIAL SCHOLAR TEACHER AWARD

WHEREAS, retired Hillsborough Middle School teacher, William Hunt, was nominated by his student Youssef Abdelhalim and selected as a US Presidential Scholars Program Distinguished Teacher; and

WHEREAS, teachers are selected on the basis of the student candidate's submission of a statement about their most influential teacher; and

WHEREAS, William Hunt was Youssef's 8th grade history teacher and had a profound impact on him in his first year in the United States; and

WHEREAS, William Hunt encouraged Youssef to share and educate his fellow classmates about his Islamic religion; and

WHEREAS, William Hunt provided a judgment free, welcoming safe environment for Youssef to become self expressive and confident; and

WHEREAS, William Hunt taught seventh/eighth grade social studies, eighth grade REACH and ESL push-in at Hillsborough Middle School for 16 years; and

WHEREAS, William Hunt recognized the willingness to learn, strong character, and work ethic in Youssef and fostered those attributes in the classroom as only an exceptional educator can.

NOW, THEREFORE BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby congratulate William Hunt for his selection as a U.S. Presidential Scholars Program Distinguished Teacher.

2. YOUSSEF ABDELHALIM-PRESIDENTIAL SCHOLAR

WHEREAS, Hillsborough High School Senior, Youssef Abdelhalim, was nominated, selected as a semi-finalist and ultimately a finalist for the U.S. Presidential Scholars Program; and

WHEREAS, scholars are selected on the basis of superior academic and artistic achievements, leadership qualities, strong character, and involvement in community and school activities; and

WHEREAS, 160 finalist candidates were selected from 600 students in the final round and Youssef was one of four from New Jersey and the first ever from Hillsborough High School; and

WHEREAS, generally finalists would receive a trip to Washington DC to attend a ceremony and be presented with medallions from the Department of Education and the President, however, the ceremony will be held virtually this year; and

WHEREAS, Youssef is a member of the National Honor Society, National Art Honor Society, and French Honor Society. He will be attending Northwestern University double majoring in mechanical engineering and astrophysics; and

WHEREAS, Youssef is a QuestBridge National College Match finalist, president and founder of Help All, and was selected to represent New Jersey in the Down Under Sports Track and Field Team; and

WHEREAS, Youssef volunteers at the Resala Charity Organization, Yemen Crisis Virtual House Party, Silver Hawk Home Health Care Center, Jason's Run, TAP tutoring, and the Humans Who STEM Club Jersey City Chapter.

NOW, THEREFORE BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby congratulate Youssef Abdelhalim for his selection as a U.S. Presidential Scholar.

3. PARKS AND RECREATION DEPARTMENT

WHEREAS, the Hillsborough Parks and Recreation Department received several awards at the 2021 New Jersey Recreation and Park Association Annual Awards Dinner; and

WHEREAS, Hillsborough Parks and Recreation Department received the Gregory A. Marshall Parks and Historic Resources Award for their "Go Green for Halloween" program; and

WHEREAS, the Parks and Recreation Department also received the Health and Wellness Programming Award for their "Spring COVID Challenge" program that included a virtual Clue game and 88.5 k virtual run; and

WHEREAS, the Parks and Recreation Department further received the Agency Showcase Award for Flyer or Poster for their Summer Camp COVID Guidelines; and

WHEREAS, Director of Parks and Recreation, Bob Wagner, Assistant Director of Recreation, Griffin Dunne, Program Coordinator, Jessica Gonzalez, Recreation Assistant, Russell Surace, and Administrative Assistant, Annette Henderson all rose to the challenge to create unique COVID compliant programming during the global pandemic; and

WHEREAS, the Parks and Recreation Department continues to provide excellent programs for the Township's youth and adults, and greatly contributes to Hillsborough's designation as "Best Place to Live".

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, congratulate the Hillsborough Parks and Recreation Department on their three awards and commend them on the original and outstanding programs provided during this difficult year.

PRESENTATIONS

None

NEW BUSINESS

None

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

Maria Janucik, 720 E. Frech Ave, Manville stated she has submitted letters to the Hillsborough Police Chief with no response. She stated she is the victim of fraud and her letters have been ignored Mayor Lipani stated he cannot comment on investigations.

PRESENTATION OF THE 2021 BUDGET

1. PRESENTATION OF THE 2021 MUNICIPAL BUDGET - NANCY COSTA, CFO

CFO Nancy Costa presented the 2021 budget. Some key revenue changes are UCC fees, interest on investments, fees and permits. There were no significant revenue losses during the COVID crisis. Hillsborough was extremely fortunate in this regard. The Township did not go over the 2% cap. Debt is being paid off at a greater rate than required by law. The numerous snow events cost the town \$385,000 for snow removal. 66.66% of the budget is comprised of school taxes. The overall municipal tax rate decreased from .316 to .310.

PUBLIC HEARINGS

1. 2021-11 ORDINANCE TO EXCEED THE 2021 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriations and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$658,453.68 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as a cap exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, a majority of the full authorized membership of the Township Committee affirmatively concurring, that in the CY 2021 budget year, the final appropriations of the Township of Hillsborough shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$658,453.68 and that the CY 2021 municipal budget for the Township of Hillsborough be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Lipani stated as indicated when this ordinance was introduced, under state budget law the unused portion of the appropriations cap, which is different than the tax levy cap, may be reserved to be available in the next two

years. Each year since 2002 Hillsborough has been able to reserve some funds in the cap bank. The cap bank has no impact on taxes.

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Jeffrey Wright, to open the public hearing on Ordinance 2021-11, the motion was unanimously approved upon the call of the roll.

Meryl Bisberg 4 Hickory Hill Rd asked if there was any consideration to keeping the tax cap lower.

Nancy Costa stated that the ordinance is talking about the tax cap and Ms. Bisberg is looking at the tax levy. The township could have spent over 29 million but it didn't. The cap is in place so that a township can use it when there are extraordinary expenses.

Attorney Willard explained the function of a CAP Bank and stated every municipality his firm represents utilizes it to the maximum.

Maria Janucik 720 E Frech Ave Manville asked why the current budget is so much thicker and why does there need to be an increase to 3.5 percent.

CFO Nancy Costa stated this is a logistical ordinance as to what can be done. There is no intention to use it but in the case of an emergency the money will be available.

Upon a motion by Committeeman Jeffrey Wright, seconded by Committeeman Doug Tomson, to close the public hearing and adopt Ordinance 2021-11, the motion was approved upon the call of the roll.

INTRODUCTION OF NEW ORDINANCES

1. 2021-13 ORDINANCE AMENDING CHAPTER 92 "POLICE DEPARTMENT", ARTICLE II "ESTABLISHMENT AND ORGANIZATION", SECTION 92-7 "MEMBERSHIP", OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY, TO INCREASE THE NOT TO EXCEED AMOUNT OF THE POLICE DEPARTMENT MEMBERSHIP. FURTHER CONSIDERATION OF THIS ORDINANCE AND PUBLIC HEARING WILL BE HELD ON JULY 13, 2021.

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

Section 1. Chapter 92 "Police Department", Article II "Establishment and Organization", Section 92-7 "Membership" of the Code of the Township of Hillsborough is hereby amended as follows: **New language is underlined thus and deletions are indicated with strikethroughs ~~thus~~.**

92-7 MEMBERSHIP

The Police Department of the Township of Hillsborough may include a Chief of Police, Captains, Lieutenants, Sergeants, Corporals and such number of Patrolmen and temporary officers and members as may, from time to time, be deemed necessary by the Township Committee to properly preserve the peace and good order within the Township. The Table of Organization for the Police Department shall not exceed a total force of ~~fifty-six (56)~~ sixty-five (65), including the following maximums by rank:

- A. Police Chief – 1
- B. Captain – 1
- C. Lieutenant – 4
- D. Sergeant – 8
- E. Corporal – as defined under the collective bargaining agreement between PBA Local 205 and the Township of Hillsborough

F. Patrolman – ~~36~~ 45

G. Civilian personnel assigned to the Police Department in the amount necessary shall be determined by the Township Committee or designee.

Section 2. In the event of any inconsistencies or conflicts between this Ordinance and existing ordinances of the Township, the provisions of this Ordinance shall apply.

Section 3. 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 4. 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 introduce Ordinance 2021-13, the motion was unanimously approved upon the call of the roll.

Deputy Mayor DelCore stated there are a number of upcoming retirements and the department is looking to bring on additional officers and this ordinance allows for flexibility in hiring.

CONSENT

1. RESOLUTION APPROVING CONTINUATION CERTIFICATE FOR STREET OPENING PERMIT BOND #104703734 FOR JCP&L

WHEREAS, in accordance with Chapter 259 "Street and Sidewalks" of the Code of the Township of Hillsborough, JCP&L has submitted a Continuation Certificate for Street Opening Permit Bond #104703734 in the amount of \$5,000.00; and

WHEREAS, this is a general performance guarantee for the continuous stream of road opening permits that are processed each year; and

WHEREAS, the Assistant Township Engineer recommends the Township Committee accept the Continuation Certificate for the above referenced Street Opening Permit Bond subject to review of the Township Attorney; and

WHEREAS, the Township Attorney has review the Bond Continuation Certificate and finds it acceptable.

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.

2. RESOLUTION TO RENEW TOWNSHIP LIQUOR LICENSES FOR THE 2021-2022 LICENSE TERM

WHEREAS, the Hillsborough Township Police Department has conducted an investigation of each retail licensee and club licensee to ensure that criminally disqualified and other unfit persons do not acquire or hold direct interests in the retail alcoholic beverage industry; and

WHEREAS, as a result of the aforementioned investigations, a report by the Hillsborough Police Department has been submitted confirming that the applicants are not subject to any of the disabilities set forth in Title 33 New Jersey Statutes; and

WHEREAS, the Township Clerk has certified that each licensee has posted the required municipal fee of \$2,500 for a Plenary License and \$188 for the Club License; and

WHEREAS, the Township Clerk has further certified that each licensee has been granted a New Jersey State Tax Clearance Certificate as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Plenary Retail Consumption Licenses are hereby renewed to the following license holders for the year 2021-2021 effective July 01, 2021:

License No	Establishment	Licensee
1810-31-012-001	Manville-Hillsborough BPOE Lodge 2119 1500 Brooks Boulevard	Manville BPOE Lodge No 2119 1500 Brooks Boulevard Hillsborough, NJ 8844
1810-32-002-008	Hillsborough Group ABC Pocket License	8 Independence Way Jersey City, NJ 07305
1810-32-003-009	The Landing 311 Amwell Road Suite 1	C&J Operating LLC 438 North Avenue Garwood, NJ 7027
1810-32-010-005	Petrock's Bar & Grill 419 Amwell Road	Woods Tavern LLC 419 Amwell Road Hillsborough, NJ 8844
1810-32-011-004	Polish Falcons 140 Falcon Road	Polish Falcons of America Corp 140 Falcon Road Hillsborough, NJ 8844
1810-33-001-004	Royce Brook 201 Hamilton Road	Royce Brook Golf, LLC Casper Golf 12700 Sunrise Valley S300 Reston, VA 20191
1810-33-005-004	Applebee's 315 Route 206	Apple Food Service of Hillsborough LLC 7 Pearl Court Allendale, NJ 7401
1810-33-006-009	Favorites 150 Route 206 South	Monmouth Park Spirits LLC 595 Shrewsbury Ave Suite 200 Shrewsbury, NJ 7702
1810-33-007-010	Big Heads 315 Route 206	Hillsborough LLC 315 US 206- Suite 502 Hillsborough, NJ 08844
1810-33-008-008	Old Man Rafferty's 284 Route 206 South	Hillsborough Hospitality Inc. 284 Route 206 South Hillsborough, NJ 8844
1810-33-009-007	Hillsborough Golf Club 146 Wertsville Road	Hillsborough Golf Club Inc PO Box 365

		Neshanic Station, NJ 8853
1810-33-15-003	JSM ABC Pocket License	JSM Investments at Hillsborough 1260 Stelton Rd Piscataway, NJ 08854
1810-36-016-002	Manhattan Drive Bar & Restaurant (Days Inn) 118 Route 206 South	Prime American Inns Inc. 118 Route 206 South Hillsborough, NJ 8844
1810-44-013-006	Petrock's Liquors 419 Amwell Road	Petrock's Liquors 419 Amwell Road Hillsborough, NJ 8844
1810-44-014-001	Bottle King 626 Route 206	Hillsborough Bottle King 626 Route 206 Hillsborough, NJ 8844
1810-44-017-005	Home Wines & Marketplace 601 Route 206	Hillsborough Spirits, LLC 601 Route 206 Hillsborough, NJ 8844

3. RESOLUTION AUTHORIZING THE 2021 MUNICIPAL BUDGET TO BE READ BY TITLE ONLY

WHEREAS, pursuant to N.J.S.A. 40A:4-8, the municipal budget may be read by its title if (1) at least one week prior to the date of the hearing and at the hearing, a complete copy of the approved budget is made available for public inspection and to each person upon request and (2) the governing body by resolution passed by not less than a majority of the full membership, determine that the budget shall be read by its title and declare the conditions set forth in the statute have been met.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it hereby finds and declares that a complete copy of the approved budget was made available for public inspection and to each person upon request and a majority of the full membership of the governing body determine the budget shall be read by title only.

4. RESOLUTION ADOPTING THE 2021 MUNICIPAL BUDGET

WHEREAS, the 2021 Municipal Budget was introduced and approved by the Hillsborough Township Committee on May 25, 2021, at a regularly scheduled Township Committee meeting; and

WHEREAS, the public hearing on the 2021 Municipal Budget was held on June 22, 2021 at a regularly scheduled Township Committee meeting, at which said budget was read by title only.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the 2021 Hillsborough Municipal Budget totaling \$32,897,668.00 is hereby adopted and that all required documentation will be submitted to the Director of the Division of Local Government Services through the FAST portal and a certified copy of the adopted budget will be forwarded to the Somerset County Board of Taxation.

5. RESOLUTION RATIFYING AND CONFIRMING AMENDMENT OF THE TOWNSHIP OF HILLSBOROUGH 2021 HOLIDAY SCHEDULE TO INCLUDE JUNETEENTH (JUNE 19TH) AND NEW YEAR'S EVE (DECEMBER 31ST)

WHEREAS, on September 10, 2020, Governor Murphy signed legislation designating the third Friday in June as a State and public holiday known as Juneteenth Day (June 19th); and

WHEREAS, on July 18, 2021, the President of the United States signed an Act adopted by Congress amending 5 USCS §6103(a) to include Juneteenth (June 19th) to the list of federal public holidays; and

WHEREAS, the Township Committee desires to amend the Township of Hillsborough 2021 Holiday Schedule to include Juneteenth to be observed on June 18, 2021.

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 of Hillsborough Holiday Schedule for January 2021 through December 2021 shall be as follows:

Friday, January 1 New Years Day
Monday, January 18 Martin Luther King Day
Monday, February 15 Presidents Day
Friday, April 2 Good Friday
Monday, May 31 Memorial Day
Friday, June 18, 2021 Juneteenth
Monday, July 5 Independence Day (observed)
Monday, September 6 Labor Day
Monday, October 11 Columbus Day
Thursday, November 11 Veterans Day
Thursday, November 25 Thanksgiving
Friday, November 26 Thanksgiving Friday
Friday, December 24 Christmas Eve
Monday, December 27 Christmas Day (Observed)
Friday, December 31 New Year's Eve

2) The above stated Holiday Schedule shall apply to employees of Hillsborough Township not covered by collective bargaining agreements; and

3) Employees of Hillsborough Township covered by collective bargaining agreements shall be subject to the terms, conditions and holidays set forth in said agreements and this Resolution shall not alter or amend those collective bargaining agreements or the holiday rights of employees covered by said collective bargaining agreements.

6. A RESOLUTION AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY DESIGNATED AS BLOCK 86, LOT 21.01 LOCATED WITHIN THE TOWNSHIP OF HILLSBOROUGH TO CONCORD STREET URBAN RENEWAL ASSOCIATES, L.P. AS THE REDEVELOPER OF SAME AND AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS OR AGREEMENTS TO EFFECTUATE THE TERMS AND CONDITIONS OF THIS RESOLUTION

WHEREAS, the TOWNSHIP OF HILLSBOROUGH, a municipal corporation of the State of New Jersey, County of Somerset, having an address at the Peter J. Biondi Building, 379 South Branch Road, Hillsborough, New Jersey 08844 (hereinafter referred to as the "Township") is the owner of certain parcels of property commonly referred to as Block 86, Lot 21 and Block 90, Lot 6.01 on the official tax map of the Township of Hillsborough, which is in an

area that has been designated by the Township as an area in need of rehabilitation (hereinafter referred to as the "Rehabilitation Area"); and

WHEREAS, the Township has appointed CONCORD STREET URBAN RENEWAL ASSOCIATES, L.P. as the redeveloper (hereinafter referred to as the "Redeveloper") to develop a portion of the Rehabilitation Area, which is designated as Block 86, Lot 21.01 on the official tax map of the Township (hereinafter referred to as the "Property"), pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (hereinafter referred to as the "LRHL"); and

WHEREAS, the Township and the Redeveloper entered into a Redevelopment Agreement, dated June 27, 2019, with respect to the redevelopment of the Property; and

WHEREAS, pursuant to Section 6.3c of the Redevelopment Agreement, the Township has agreed to sell the Property to the Redeveloper for the consideration of One (\$1.00) Dollar; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(c) of the Local Lands and Buildings Law, a municipality is authorized to convey property, by private sale, to a private developer when acting in accordance with the LRHL, which is occurring.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough that that the Township is hereby authorized to sell the Property to the Redeveloper for consideration of One (\$1.00) Dollar in accordance with the terms and conditions of the Redevelopment Agreement between the Township and the Redeveloper.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to execute any and all documents and/or agreements necessary to effectuate this Resolution on behalf of the Township, subject to review and approval of the Township Special Attorney/Deputy Township Attorney.

7. RESOLUTION AUTHORIZING THE HIRING OF BRITTANY HORVATH TO THE POSITION OF PART-TIME FLOATER FOR THE TOWNSHIP OF HILLSBOROUGH

WHEREAS, there is the need for part-time floaters in the Municipal Court in the Township of Hillsborough; and

WHEREAS, the Municipal Court Administrator recommends the hiring of Brittany Horvath as a part-time floater, effective June 23, 2021, at a rate of \$15.00 per hour, 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 recommendations of the Director of Public Works and Municipal Court Administrator are hereby accepted and approved.

8. RESOLUTION AUTHORIZING HIRING OF TRAVIS GUERRERA, AIDEN WARNER, DANIEL BRAGGER AND ALEX BAR AS TEMPORARY SUMMER HELP IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a need for temporary summer help in the Department of Public Works; and

WHEREAS, the Director of Public Works recommends the hiring of Travis Guerrero, Aiden Warner, Daniel Bragger and Alex Bar for this temporary summer help position effective June 23, 2021 at an hourly rate of \$15.00, not to exceed 40 hours per week, to be funded through the NJ Clean Communities Grant.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Director of Public Works is authorized to hire Travis Guerrero, Aiden Warner, Daniel Bragger and Alex Bar for the temporary summer help position in the Department of Public Works

effective June 23, 2020 at an hourly rate of \$15.00, not to exceed 40 hours per week, to be funded through the NJ Clean Communities Grant.

9. RESOLUTION AUTHORIZING RELEASE OF APPLICATION FEE, GIS FEE AND DEVELOPMENT REVIEW ESCROW TO DAVID AND JANE EILBACHER FOR BA-21-07

WHEREAS, on March 4, 2021 David and Jane Eilbacher submitted an application (BA-21-07) to the Board of Adjustment for the property at 79 Wertsville Rd; and

WHEREAS, in connection with the Application David and Jane Eilbacher provided the Township with the following funds: (a) Application Fee \$250.00; (b) GIS Fee \$250.00; and (c) Development Review Escrow Deposit \$1,000.00; and

WHEREAS, on June 2, 2021 David and Jane Eilbacher withdrew the application; and

WHEREAS, the Hillsborough Township Planning Director certifies all work related to the review of the above has been completed and recommends the release of the (a) Application Fee \$250.00; (b) GIS Fee \$250.00; and (c) Development Review Escrow Deposit \$1,000.00 funds plus accrued interest to David and Jane Eilbacher and the account be closed.

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

10. RESOLUTION GRANTING PERMANENT EMPLOYEE STATUS TO KYLE SMITH IN THE HILLSBOROUGH TOWNSHIP BUILDING DEPARTMENT

WHEREAS, Kyle Smith was hired as a Building Inspector in the Building Department on March 10, 2021; and

WHEREAS, the Construction Official certifies that Mr. Smith has performed his duties and assignments in a capable and competent manner; and

WHEREAS, having completed the three-month probationary period, the Construction Official recommends that regular permanent employee status be conferred upon Mr. Smith effective June 10, 2021 at an annual salary of \$67,000.

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.

Upon a motion by Committeewoman Janine Erickson, seconded by Committeeman Doug Tomson, the consent agenda items 1-9 was unanimously approved upon the call of the roll.

Mayor Lipani stated Resolution #3 - Adopting the 2021 Budget is a reflection on the staff to not have a revenue reduction during the pandemic. Mayor Lipani thanked the finance team and township employees.

Committeeman Wright asked for clarification on Consent #6 in selling a property for \$1 which appears to settle the Township's affordable housing obligation.

Mayor Lipani explained that is not the case. This is one part of the obligation.

Committeewoman Erickson stated that CFO Nancy Costa did a great job preparing the budget and made it very easy for her as her first time on the committee.

Committeeman DelCore echoed Committeewoman Erickson's comments and added that it's always a challenge and

its a testament to the work by the employees in the planning process to manage appropriations.

Meryl Bisberg, 4 Hickory Hill Road stated the Sherman Tract has now been broken out into 2 phases donating land for first phase 1 and asked what about phase 2.

Attorney Bernstein explained that there were always 2 phases. Phase 1 is being developed as fully affordable housing by Concord Associates a subsidiary of RPM. Phase 2 will also be all affordable but it has not been determined who the developer will be and how it will be transferred.

Meryl Bisberg, 4 Hickory Hill Road presented several questions on the budget including how many million the additional assessed value is, how is the \$3.9 million American Rescue fund used, and commented on the increase in the budget and taxes.

CFO Nancy Costa stated she does not have numbers but can get from the Tax Assessor with regard to the additional assessed value.

Mayor Lipani stated the American Rescue Fund must be spent within 4 categories and if spending doesn't comply it will have to be repaid from the budget. CFO Nancy Costa advised the money must be used by December 2024 unless its an ongoing project which then the due date is 2026.

CFO Nancy Costa stated the tax collection is \$400,000 more. There is more money in capital improvement intended to pay for routine maintenance.

Maria Janucik, 720 E. Frech Ave, Manville in regards to consent #4 asked about self examination of the budget.

CFO Nancy Costa explained introduction can be authorized to be self examined every 2 out of 3 years if in sound fiscal condition based on the audit conducted by an outside agency. Next year the township is not under self examination. Ms. Janucik also asked if its legal for Senator Bateman's firm to be representing the township.

Deputy Mayor DelCore replied yes, it is completely legal.

Committeeman Tomson added it is common and normal practice.

This resolution authorizes the sale of Phase 1 of the Sherman redevelopment project to Concord Street Urban Renewal Associates. Concord was designated the redeveloper of the property on March 26, 2019. The subdivision and site plan for the project was approved by the planning board on September 5, 2019. The sale of the property to Concord marks the final step in the process and enables Concord to apply for the necessary building permits and commence construction.

Meryl Bisberg asked about the deficit in the Recreation Trust Fund.

Mayor Lipani responded it was due to canceled programs because of COVID.

Meryl Bisberg asked about the \$80,000 salary and wages of Board of Recreation Commissioners.

CFO Nancy Costa explained the Director of Recreation does not participate in programs, therefore his salary was moved into the budget based on the recommendation of auditor. It is not appropriate to leave it in the recreation trust.

Meryl Bisberg stated if no more expenses, why is there 2 million more than last year. Taxes are going up, why can't there be tax relief.

Deputy Mayor DelCore explained the only way your taxes increase is if your home is worth more. It's not an accurate statement to say taxes are going up.

Mayor Lipani stated the State and County are not offering any relief. The municipal portion has been on a downward trend.

Committeeman Tomson stated the federal budget is increasing. There are several properties in town that have not increased in value.

Meryl Bisberg stated she believes small business received a tremendous amount of aid and is just looking for some assistance for homeowners.

Mayor Lipani stated while it is a relief/lifeline for people to stay in business it was not free. At some point it will need to be repaid.

Maria Janucik, regarding consent #2 asked about the Polish Falcons liquor license and the change of number and name.

Deputy Clerk Sarah Brake stated it's the same license just a different revision number and possibly a person to person transfer such as a corporate restructure.

Maria Janucik asked where the different lots come from regarding Block 86 lot 21.01.

Committeeman Tomson stated there are multiple lots on that site. The Township is selling a particular lot on that site. The transfer of \$1 is part of the redevelopment. The purchase money for the property came out of the affordable housing trust fund. RPM is the parent company and Concord Street Urban Renewal is the subsidiary under RPM. Concord will receive the rental income once it is completely built and rented to individuals.

Attorney Bernstein stated RPM created Concord Street Urban Renewal who then applied for low income housing tax credits. They are the designated developer. It is standard operating procedure to transfer property for \$1 to a developer. The property has been subdivided. No determination has been made as to the other lots.

Attorney Willard stated his firm regularly does the same thing. There must be a financial incentive to the developers to build 100% affordable housing.

Upon a motion by Deputy Mayor Frank DelCore, seconded by Committeewoman Janine Erickson, to approve the consent agenda, the motion was approved upon the call of the roll.

CLAIMS LIST

None

7:30 PM - PRE-QUALIFICATION PUBLIC HEARING

1. PUBLIC HEARING PURSUANT TO N.J.S.A. 40A:11-25 ON THE PRE-QUALIFICATION REGULATIONS FOR POTENTIAL BIDDERS FOR THE PHASE 4 WINDOW AND SHUTTERS AND LEAD PAINT ABATEMENT OF THE HISTORIC VANDERVEER HARRIS HOUSE LOCATED IN HILLSBOROUGH TOWNSHIP

Mayor Lipani stated:

The Township is preparing to advertise for bids for the repair and replacement of windows and shutters, and lead paint abatement, at the Van der Veer-Harris House located at 344 Route 206 in Hillsborough Township. Due to the historic status of the building and the specialized nature of the work, we first need to establish a pre qualified pool of bidders that meet the requirements contained in the Prequalification Regulations and Questionnaire. The prequalification package contains a list of questions soliciting the contractor's experience with historic renovation projects of this scope. The Local Public Contracts Law (40A:11-25 through 34), requires the Township Committee to hold this public hearing to take comments and/or questions from any interested party on the pre-qualification requirements. Within 10 days after the completion of this hearing, the proposed regulations and a recording of the hearing will be forwarded to the Director of the Division of Local Government Services for the Director's approval. Once the State approves the prequalification package, it will be made available to any and all interested contractors. Once the pre-qual packages are submitted to the Township, our Project Architect will evaluate them and make recommendations. After we have a list of prequalified contractors, only those contractors will be allowed to bid on the project.

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Jeffrey Wright, to open the public

hearing on the prequalification regulations and questionnaire was unanimously approved upon the call of the roll.

No comments were made from the dais or the floor.

2. RESOLUTION ADOPTING THE PREQUALIFICATION REGULATIONS QUESTIONNAIRE FOR PHASE 4 WINDOW AND SHUTTERS AND LEAD PAINT ABATEMENT AT THE VANDERVEER HARRIS HOUSE

WHEREAS, the Township of Hillsborough desires to preserve the Township's Historic Vanderveer Harris House; and

WHEREAS, funding for the project is provided in part by the Somerset County Historic Preservation Grant Program; and

WHEREAS, municipal governments must follow specific procedures when selecting contractors and subcontractors, as well as soliciting bids for their projects, and are subject to the New Jersey Historic Trust's programmatic requirements including the application of Local Public Contracts Law, N.J.S.A. 40A:11-25, specifically as it pertains to prequalification procedures for potential bidders; and

WHEREAS, in accordance with these State laws, the Township of Hillsborough is required to adopt the prequalification regulations, statement of bidder's qualification and bidder's questionnaire for the Vanderveer Harris House restoration project; and

WHEREAS, the prequalification regulations, statement of bidder's qualification, and bidder's questionnaire attached hereto have been prepared by Mills and Schnoering Architects, LLC, the Township's Historic Architectural Consultant for the Vanderveer Harris House; and

WHEREAS, in accordance with N.J.S.A. 40A:11-25, a notice of hearing and general description of the subject matter of the regulations to be adopted were published in not less than two newspapers circulating in the county at least 20 days prior to the date set in the notice for hearing; and

WHEREAS, in accordance with N.J.S.A. 40A:11-25, a public hearing was held on June 22, 2021, prior to the adoption of the prequalification regulations, statement of bidder's qualification and bidder's questionnaire for the Vanderveer Harris House restoration project.

NOW, THEREFORE, BE IT RESOLVED by the Township of Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, as follows: (1) the prequalification regulations, statement of bidder's qualification and bidder's questionnaire for Phase 4 repair and restoration of windows and shutters and lead paint abatement at the Vanderveer Harris House is hereby adopted and approved; and (2) the Township Clerk is hereby directed to forward within 10 days hereof a copy of the approved prequalification regulations, statement of bidder's qualification and bidder's questionnaire together with a true copy of the hearings and this Resolution to the Director of the Division of Local Government Services for the Director's approval.

Upon a motion by Committeeman Doug Tomson, seconded by Deputy Mayor DelCore, to close the public hearing and adopt the Resolution on Prequalification Regulations Questionnaire for Phase 4 Window and Shutters and Lead Paint Abatement at the Vanderveer Harris House, the motion was approved upon the call of the roll.

ADJOURNMENT

Upon a motion by Committeeman Doug Tomson, seconded by Committeewoman Janine Erickson, the meeting duly adjourned at 8:52 pm. Said motion was unanimously carried upon voice vote.

Attested:



Sarah Brake
Deputy Clerk

