

Minutes of the April 26, 2022 Township Committee Meeting of the Township of Hillsborough, in the County of Somerset, State of New Jersey, held in the Municipal Complex at 7:30 PM on April 26, 2022.

CALL OF THE ROLL

Upon call of the roll, the following Committee members were recorded present: Mayor Shawn Lipani, Deputy Mayor Janine Erickson, Committeeman Robert Britting, Committeeman Frank DelCore and Committeeman Doug Tomson. Also in attendance were Township Administrator Anthony Ferrera, Township Clerk Pamela Borek 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, April 26, 2022.

Mayor Lipani advised that Assemblyman Roy Freiman will be joining the meeting as soon as he finishes an earlier meeting across the hall.

APPROVAL OF MINUTES

1. REGULAR MEETING MINUTES OF APRIL 12, 2022

Upon a motion by Committeeman Doug Tomson, seconded by Deputy Mayor Janine Erickson, the Regular Meeting Minutes of April 12, 2022 were approved upon the call of the roll.

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

Committeeman Britting

Committeeman Britting announced there will be a Covid19 booster clinic on Thursday, April 28th from 4 to 6 pm, at the Municipal Building. The booster is free, however individuals must bring their Covid vaccination card, and insurance and/or Medicare cards.

Committeeman Britting reminded residents that there is still time to register for summer camp through the Recreation Department.

Committeeman DelCore

Committeeman DelCore reminded residents that 2nd quarter taxes are due on May 1st, with a 10 calendar day grace period which ends on May 10th. For those that received a Homestead rebate please make sure to pay the amount indicated on the revised bill received last week.

Committeeman DelCore announced that the Somerset County Board of Elections is seeking poll workers to support the June 8th election. Poll workers are paid \$300 for one day's work, starting at 5:15 a.m. and ending at 8:30 p.m. Applicants must be registered to vote in Somerset County, or high school students who are between 16 and 17 years old, United States citizens living in Somerset County with the permission of their parents and a high school representative.

Committeeman DelCore advised residents of the Hillsborough School District Art Show now on display at the Municipal Building. The art show opened officially on Thursday, April 28th, and will run until May 27th.

Committeeman DelCore stated that at the Board of Education meeting Lisa Antunes tendured her resignation as superintendent. The Township will continue to work with Acting Superintendent Kim Feltre and will move forward with projects.

Committeeman Tomson

Committeeman Tomson reported that the deadline for Super Storm Ida-related damages is approaching. Construction permit fees associated with only the repairs resulting from damage caused by Tropical Storm Ida will be waived until the deadline of April 30, 2022.

Committeeman Tomson stated that the Engineering Department would like to remind property owners that any construction project that requires digging into the ground must call the "Call Before You Dig" 811 call center to have all underground utilities marked out before construction.

Committeeman Tomson urged residents to take part in the annual clean-up program in order to dispose of unwanted items that have accumulated in the home. The program runs on the first and last Saturdays through the end of October.

Committeeman Tomson advised (CR567) River Road in Hillsborough will be closed for approximately 10 weeks beginning on Monday 5/2/2022. Norfolk Southern will be working on bridge repairs and will have ongoing construction occurring at the train bridge on River Road by Elm Street.

Committeeman Tomson reminded residents that NJ will ban single-use plastic shopping bags on May 4th.

Committeeman Tomson stated that the official Hillsborough Township "The Green Life" bags are in and will be available for purchase in the Clerk's Office beginning April 27th. The cost is \$3.00 for one bag and \$5.00 for two - cash or checks only. Proceeds from shopping bag sales will help to fund recycle bins for Township parks.

Committeeman Tomson announced that The Hope for Tomorrow Mental Health Fair takes place Friday, May 6th from 5 to 7 pm at the Municipal Building. There is also still time to view Chris Herren's documentary entitled "The First Day," on April 27th, from 7:00 to 8:30 pm, at the Municipal Building.

Deputy Mayor Erickson

Deputy Mayor Erickson stated she, along with Committeeman Britting and Committeeman Tomson, was delighted to attend baseball opening day and thanked the Hillsborough Baseball League for the invitation.

Deputy Mayor Erickson reported that Police National Take-Back Day is April 30th. This event, which happens twice a year, is a safe, convenient and responsible way to dispose of unused or expired prescription medications.

Deputy Mayor Erickson reminded residents that the fine for a first-time cell-phone-related ticket is \$200 to \$400 plus costs. For a second offense, the fine is \$400 to \$600 plus costs, and for the third offense it is \$600 to \$800, 3 points added to the driver's license, and potential loss of license.

Mayor Lipani

Mayor Lipani reported that the Hillsborough's Salute to Military Service Breakfast, Memorial Day Parade, and commemorative events will take place on Saturday, May 28th. All township military service personnel are invited to participate in the Salute to Military Service Breakfast, followed by the parade and Garden of Honor ceremony.

Mayor Lipani announced that Army Veteran and Hillsborough VFW Post #8371 Senior Commander Allen McRae will be the Grand Marshal for the Memorial Day Parade.

Mayor Lipani stated that the Hillsborough Chapter of UNICO honored the memory of charter member, Andrew Pantano by donating a new bench to be used at the Italian Bocce court in Ann Van Park. At the ceremony the Mayor was joined by Hillsborough UNICO President Nathan Santaromita, Committeeman and UNICO member Frank Del Core, Township Administrator and UNICO member Anthony Ferrera, as well as other members of UNICO and the Bocce teams along with Andrew's wife, Joann, and all his family.

Mayor Lipani advised that Hillsborough Township has joined mayors across the country in encouraging residents to take the Wyland Foundation's National Mayor's Challenge for Water Conservation.

PROCLAMATIONS / APPOINTMENTS

1. ROBERT FENSTER - NATIONAL TEACHERS HALL OF FAME

WHEREAS, Robert Fenster, a teacher at Hillsborough High School, has the honor of being inducted into The National Teachers Hall of Fame; and

WHEREAS, only five career teachers are inducted each year and will attend recognition events in Emporia, Kansas and an honorary reception at the National Education Association in Washington DC; and

WHEREAS, Robert Fenster has taught social studies at Hillsborough High School for 28 years including US History Honors and AP American Government; and

WHEREAS, Robert Fenster advises Mock Trial, Model Congress, Model United Nations, Amnesty International, and the Podcasting Club and serves on the Somerville Township Recreation Committee; and

WHEREAS, Robert Fenster has received the 2021 Paul A. Gagnon Prize from the National Council for History Education, the 2019 Secondary Education Teacher of the Year Award from the New Jersey Council for Social Studies, the 2019 Law-Related Education Teacher of the Year Award from American Lawyers Alliance, and the 2017 Claes Nobel Top Ten Educator of the Year Award from the National Society of High School Scholars; and

WHEREAS, Robert Fenster has been a leader in his union, serves on the National Constitution Center's teacher advisory panel, created the multi-platform event Shelter From the Storm raising over \$60,000 in the past five years, and served as a Reese Fellow at the Crystal Bridges Museum of American Art creating a cross-curricular online resource and database for teachers of social studies, English, and art..

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, congratulate Robert Fenster for being inducted into The National Teachers Hall of Fame and we thank him for all his work and dedication to the students at Hillsborough High School.

2. MIRA DESAI - GOVERNOR'S EDUCATOR OF THE YEAR

WHEREAS, Mira Desai, an instructional aide, has the honor of being named as Woods Road Elementary School's Governor's Educator of the Year for the 2021-2022 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Mira Desai has been a member of the Hillsborough School District faculty for nine years; and

WHEREAS, Mira Desai has been working in the preschool program with kids with various learning and physical disabilities; and

WHEREAS, Mira Desai is currently working with children with autism. Ms. Desai has volunteered at the Life Skill presentations, art show, book fair, talent show, and HOPE for mental health; and

WHEREAS, Woods Road Elementary School is proud to name Mira Desai as their Educational Services Professional of the Year.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, further commend Mira Desai for being recognized as Woods Road Elementary School's Educational Services Professional of the Year and we thank her for all her work and dedication to Hillsborough's youth.

3. TERESA PALMISANO - GOVERNOR'S EDUCATOR OF THE YEAR

WHEREAS, Teresa Palmisano, an instructional aide, has the honor of being named as Amsterdam Elementary School's Governor's Educator of the Year for the 2021-2022 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Teresa Palmisano has been a member of the Hillsborough School District faculty for 20 years; and

WHEREAS, Teresa Palmisano is a classroom assistant in LLDM mild/moderate class for first and second grade. Her main responsibility is to oversee the Phonological Awareness Screening Program, which includes drilling students daily and providing weekly progress reports; and

WHEREAS, Teresa Palmisano's main objective has been to provide academic and emotional support to each student with patience and compassion; and

WHEREAS, Amsterdam Elementary School is proud to name Teresa Palmisano as their Educational Services Professional of the Year.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, further commend Teresa Palmisano for being recognized as Amsterdam Elementary School's Educational Services Professional of the Year and we thank her for all her work and dedication to Hillsborough's youth.

4. MARISA NARULA - CULTURAL ADVANCEMENT AWARD

WHEREAS, Marisa Narula opened the Hillsborough-Montgomery location of Code Ninjas in 2019; and

WHEREAS, at Code Ninjas, kids learn to code by building their own video games. They also gain problem solving, critical thinking, and STEM skills in a fun, safe, and inspiring environment; and

WHEREAS, Code Ninjas provides coding programs for ages five to seven, seven to fourteen, and summer camps; and

WHEREAS, Marisa Narula was presented with the Cultural Advancement Award at the 2021 Code Ninjas International Conference for her efforts in her community and across the franchise; and

WHEREAS, Code Ninjas Hillsborough-Montgomery was the first place runner-up in the Best of the Best contest for Best Summer Camp and Best Education Center in 2021 and won Best Summer Camp in Central Jersey in 2020.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, further commend Marisa Narula for being awarded the Cultural Advancement Award and we thank her for all her work and dedication to Hillsborough's youth.

5. HHS MOCK TRIAL TEAM

WHEREAS, the 2021-2022 Hillsborough High School Mock Trial Team had a very successful season because of

their hard work and dedication; and

WHEREAS, the Mock Trial Team was the Vincent J. Apruzzese High School Mock Trial Competition Somerset County Champions and won the first round of Regionals; and

WHEREAS, the 2021-2022 Hillsborough High School Mock Trial Team consisted of the following students: Raj Boparai, Vaani Gupta, Nicholas Henderson, Prisha Mitra Thakur, Afanwi Numfor, Azinwi Numfor, Aiden Neuberger, Vaibhav Potluri, Om Shah, and Richa Shah and was led by Coaches Bob Fenster and Julianne Anderson; and

WHEREAS, the County competition was held virtually. The Hillsborough High School Mock Trial Team beat Mt. St. Mary's in the semifinals and Bridgewater in the finals; and

WHEREAS, the Mock Trial Team practices twice a week, two to three hours a day conducting legal research, preparing legal arguments including opening and closing statements, direct and cross-examinations, and position papers.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby commend the Hillsborough High School Mock Trial Team and the coaches, not only for their successful season, but for their hard work, dedication and commitment to the Mock Trial Team.

PRESENTATIONS

1. MWC 2021 HEALTHY TOWN TO WATCH

Mayor Lipani presented the plaque to Mayor's Wellness co-chairpersons Yazmin Barrantes and Lee Santaromita.

2. CERTIFICATE OF APPRECIATION TO DR. LAPINSKI

Mayor Lipani presented a Certificate of Appreciation to Dr. Lapinski for her involvement in softball in the community.

3. CERTIFICATE OF RECOGNITION & GENERAL ASSEMBLY CITATION TO SAMANTHA BALL

Assemblyman Freiman applauded the Hillsborough Township Committee and Samantha Ball for creating a fun activity to kick off the single-use plastic bag ban. Assemblyman Freiman presented a General Assembly citation to Samantha Ball and Mayor Lipani presented a Certificate of Recognition.

NEW BUSINESS

None.

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

Township Clerk Pamela Borek stated the following. The Township Committee welcomes input from the public. Please state your name and address and please spell your name for the record. You will be given one three minute allotment for your comments. Please understand that this public forum is not structured as a question and answer session. Comments are to be addressed to the Mayor. Again, please keep your comments to three minutes. Thank you.

Didier Jimenez, 348 Gemini Drive stated he stands with Claremont community and expressed concern over contaminated well water.

Meryl Bisberg, 4 Hickory Hill Road, expressed concerns over the lottery connected with Affordable Housing at Hillsborough Village and the lack of units available versus the market rate units.

Township Administrator Ferrera stated Ms. Bisberg is not a township employee and her data is not true or accurate.

The developer is a few units off but not the 75% quoted by Ms. Bisberg. The developer has been working with supply chain issues, working on Saturdays and making every effort to get the people in the units as quickly and safely as possible. To date, they are only a few units off.

Maria Janucik, 720 E. Frech Ave, Manville expressed concern over change in number of the Polish Falcon's liquor license and asked that the discrepancy be investigated.

PUBLIC HEARINGS

1. 2022-06 AN ORDINANCE AUTHORIZING ACCEPTANCE OF DEED OF DEDICATION FOR WIDENING AND IMPROVEMENT OF FALCON ROAD, HILLSBOROUGH TOWNSHIP, SOMERSET COUNTY, NEW JERSEY.

WHEREAS, Application No.: 03-PB-12-GDP was filed with the Township of Hillsborough Planning Board seeking general development plan approval for the construction of up to 698 residential units on approximately 190 acres of land identified on the Hillsborough Tax Maps at the time of application as Block 140, Lot 1, and Block 141, Lots 2.01, 7.01 and 31.02; and

WHEREAS, on April 1, 2004, the Board adopted a memorializing Resolution approving the Application; and

WHEREAS, the approval of the Board requires the developer to widen and improve Falcon Road; and

WHEREAS, the widening and improvement of Falcon Road requires the acquisition of various portions of property situated along Falcon Road; and

WHEREAS, the developer of the project has acquired the following Deed of Dedication necessary for the widening and improvement of Falcon Road: (a) portion of Block 141, Lot 15 (0.09 acres).

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that: (1) the Township hereby accepts the following Deed of Dedication: (a) portion of Block 141, Lot 15 (0.09 acres); (2) the Township Attorney is authorized to record the Deed of Dedication with the Somerset County Clerk; and (3) this Ordinance shall take effect upon adoption and publication according to law.

Upon a motion by Committeeman Doug Tomson, seconded by Deputy Mayor Janine Erickson, to open the public hearing on Ordinance 2022-06, the motion was unanimously approved upon the call of the roll.

Maria Janucik, 720 E. Frech Ave, Manville asked why the developer was allowed to build over 600 homes. Attorney Willard and Committeeman Tomson explained this affordable housing project was originally approved in 2003 and then the project changed as a result of a NJ law in or around 2008. The developer was always required to widen Falcon Road which necessitated obtaining easements from property owners on Falcon Road which is the subject of this ordinance.

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Robert Britting, to close the public hearing and adopt Ordinance 2022-06, the motion was approved upon the call of the roll.

2. 2022-07 AN ORDINANCE AUTHORIZING THE PUBLIC AUCTION OF BLOCK 185, LOT 1.05, KNOWN AS THE WESTON ROAD LANDFILL.

EXPLANATION: This Ordinance authorizes the public auction of Block 185, Lot 1.05, known as the Weston Road

Landfill.

WHEREAS, the Township of Hillsborough owns Block 185, Lot 1.05, consisting of approximately 4.9140 acres, commonly known as the Weston Road Landfill (“Property”); and

WHEREAS, because the Property is no longer in use or operated as a landfill and needs remediation and closure, and is no longer necessary for a public purpose, the Township of Hillsborough desires to offer the Property to prospective bidders which are willing to remediate and close the Property in accordance with Department of Environmental Protection requirements and return the Property to the Township tax rolls; and

WHEREAS, it is the intent of the Township to offer the Property to the public following the auction process found in the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., with the Property to be auctioned as surplus property to that bidder meeting the requirements in the Legal Notice attached as Exhibit A to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, Somerset County, New Jersey, that the Property be auctioned on the following conditions:

1. The Property is no longer needed and is hereby declared surplus property.
2. The Property shall be auctioned on the terms and conditions contained in the Legal Notice attached to this Ordinance as Exhibit A.
3. The Township Attorney is hereby authorized to prepare the necessary bidding package to solicit bids and the Clerk is authorized to issue that bid package.
4. The Township Administrator, Clerk and Township Attorney are authorized to conduct a public auction of the Property.
5. After the receipt of bids for the Property, the Township Committee of the Township of Hillsborough will review the bids and award the Property by Resolution to that bidder whose bid conforms with the conditions contained in the Legal Notice attached to this Ordinance as Exhibit A and which bid is the most advantageous to the Township, price and other factors considered. The Township Committee, however, expressly reserves the right to reject all bids where the highest bid is not accepted.
6. Upon the adoption of a Resolution awarding the Property, the Township Attorney is authorized to prepare the necessary documents to convey the Property and attend the closing, and that the Mayor and Clerk are authorized to sign the necessary closing documents to convey the Property.
7. The Property shall be auctioned and sold “AS IS” and “WHERE IS”.

This Ordinance shall take effect in accordance with law.

Upon a motion by Committeeman Frank DelCore, seconded by Committeeman Doug Tomson, to open the public hearing on Ordinance 2022-07, the motion was unanimously approved upon the call of the roll.

Maria Janucik, 720 E. Frech Ave, Manville asked who owned the property and why is it being sold.

Township Attorney Willard explained the Township owned the property for decades, then sold it to a family trust.

At some point in time a landfill was discovered on the property. After litigation the Township took back the landfill area and is now seeking to sell it and have the buyer close the landfill according to DEP requirements.

Upon a motion by Deputy Mayor Erickson, seconded by Committeeman Doug Tomson, to close the public hearing and adopt Ordinance 2022-07, the motion was approved upon the call of the roll.

INTRODUCTION OF NEW ORDINANCES

1. 2022-08 ORDINANCE OF THE TOWNSHIP OF HILLSBOROUGH AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDMENT TO A LEASE PURCHASE AGREEMENT DATED AS OF JUNE 1, 2018 WITH THE SOMERSET COUNTY IMPROVEMENT AUTHORITY.

FURTHER CONSIDERATION AND A PUBLIC HEARING WILL BE HELD ON MAY 10, 2022.

WHEREAS, the Township Committee of the Township of Hillsborough, in the County of Somerset, New Jersey (the “Township”) has previously adopted an ordinance numbered 2017-06 on July 11, 2017 (the “Original Ordinance”), authorizing the acquisition of approximately 335 +/- acres of land located on certain premises designated as Block 177, Lot 23.02, Block 175, Lot 39.04 and Block 12, Lot 13 as shown on the Tax Maps of the Township (the “Property”) and the necessary environmental remediation of the Property (collectively, the “Project”); and

WHEREAS, pursuant to the Original Ordinance, the Township has heretofore entered into a Lease Purchase Agreement dated as of June 1, 2018 (the “Lease Purchase Agreement”) with the Somerset County Improvement Authority (the “Authority”), providing for the acquisition of the Property by the Authority from the seller thereof, and for the payment by the Township to the Authority of certain lease purchase payments in amounts sufficient to pay the debt service on any Authority bonds or notes (in an aggregate principal amount not to exceed \$20,000,000) issued to finance the Project; and

WHEREAS, on June 7, 2018, the Authority issued \$18,620,000 principal amount of its County Guaranteed Lease Revenue Notes, Series 2018 (Township of Hillsborough Project) (the “2018 Notes”), to finance the costs of the Project and the costs of issuing the 2018 Notes, which Prior Notes matured on June 7, 2019; and

WHEREAS, upon the issuance of the 2018 Notes, the Authority acquired title to the Property and paid to the seller thereof, from proceeds of the 2018 Notes, a portion of the purchase price therefor (with a portion of such purchase price retained in escrow pending satisfaction of certain conditions relating to the environmental remediation of the Property); and

WHEREAS, the seller’s right to receive the escrowed portion of the purchase price (upon satisfaction of such conditions) is secured by a promissory note and mortgage granted by the Authority; and

WHEREAS, on June 5, 2019, the Authority issued \$19,160,000 principal amount of its County Guaranteed Lease Revenue Notes, Series 2019 (Township of Hillsborough Project) (Federally Taxable) (the “2019 Notes”), to refund the maturing principal and interest on the 2018 Notes and to finance the costs of issuing the 2019 Notes; and

WHEREAS, by ordinance numbered 2020-14 adopted on May 14, 2020 (the “Amending Ordinance”), the Township Committee of the Township amended and supplemented the Original Ordinance in order to, among other things, increase the aggregate principal amount of bonds and notes to be outstanding from \$20,000,000 to \$22,000,000, so as to conform to the maximum principal amount of the guaranty ordinance previously adopted by the County of Somerset in support of the Authority’s bonds and notes issued to finance the Project; and

WHEREAS, on June 3, 2020, the Authority issued \$19,815,000 principal amount of its County Guaranteed Lease Revenue Notes, Series 2020 (Township of Hillsborough Project) (Federally Taxable) (the “2020 Notes”), to refund the maturing principal and interest on the 2019 Notes and to finance the costs of issuing the 2020 Notes; and

WHEREAS, on June 1, 2021, the Authority issued \$20,230,000 principal amount of its County Guaranteed Lease Revenue Notes, Series 2021 (Township of Hillsborough Project) (Federally Taxable) (the “2021 Notes”), to refund the maturing principal and interest on the 2020 Notes and to finance the costs of issuing the 2021 Notes; and

WHEREAS, the Township desires to permanently finance the Project now that the remaining conditions relating to the environmental remediation of the Property are expected to be satisfied in the near future; and

WHEREAS, the maturing principal of the 2021 Notes is expected to be paid from proceeds of the Authority’s County Guaranteed Lease Revenue Bonds, Series 2022 (Federally Taxable) that are expected to be issued in May 2022 (the “Bonds”), with the maturing interest on the 2021 Notes to be paid by the Township from budgeted appropriations; and

WHEREAS, it is currently expected that the Bonds will be repaid over a twenty-five (25) year duration from their date of issuance; and

WHEREAS, the Township now wishes to amend certain provisions of the Lease Purchase Agreement so as to permit the Township to make certain partial conveyances of the Property without prepaying an allocable portion of the purchase option price for the Project;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET, NEW JERSEY, AS FOLLOWS:

Section 1. Authorization of First Amendment to Lease Purchase Agreement. The First Amendment to Lease Purchase Agreement (a form of which is on file in the office of the Municipal Clerk), is hereby approved and the Mayor, Administrator and the Chief Financial Officer of the Township (each, an “Authorized Officer”) are hereby each severally authorized and directed to execute or acknowledge and deliver such First Amendment to Lease Purchase Agreement in substantially the form, with such changes thereto as such Authorized Officer, after consultation with counsel to the Township, bond counsel to the Township and other professional advisors to the County and the Authority (together, the “Consultants”), deems in his or her discretion to be necessary, desirable or convenient for the execution thereof, which execution thereof shall conclusively evidence such Authorized Officer’s approval of any changes to the form thereof. The Municipal Clerk is hereby authorized and directed to affix the official seal of the Township to said First Amendment to Lease Purchase Agreement, and to attest to same and to the signature(s) of the Authorized Officer(s) thereto.

Section 2. Effective Date. This ordinance shall take effect in accordance with applicable law.

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Frank DelCore, to introduce Ordinance 2022-08. Further consideration and a public hearing will be held on May 10, 2022., the motion was unanimously approved upon the call of the roll.

CONSENT

1. RESOLUTION AUTHORIZING THE TRANSFER OF EARNED AMOUNTS FROM THE SUBDIVISION AND SITE PLAN ENGINEERING TRUST ACCOUNTS TO THE TREASURER’S ACCOUNT

WHEREAS, the Assistant Township Engineer indicates inspections and engineering work have been completed for the indicated projects and recommends funds be transferred from the Engineering Inspection Escrow Accounts to the Treasurer's Account as set forth below; and

WHEREAS, each of the project line items has been verified against the Treasurer’s Office account records to ensure that sufficient funds are available for these transfers of unanticipated revenues.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the funds set forth herein be transferred from the Engineering Escrow Accounts into the Treasurer’s Account.

Name	ID	Balance
Amwell Terrace	Amwelltein	\$335.65
Gateway Phase 7	Gateway6in	\$1,793.65
Hillsborough 206 Holdings	Hills206in	\$143.44

Hillsborough Crossings	hilcrossin	\$1,080.47
Hillsborough Village	Hillvillin	\$248.29
K9 resorts	K9resortin	\$115.40
NJAW2021-31	Heritagein	\$115.40
NJAW2021-54	Amer2154in	\$83.91
PSE&G 2020 gas project	PSEG2020in	\$26.21
Pilgrim River 2021	Pilgrimin	\$309.43
Ramaswamy	Ramaswami	\$274.50
Sherman Tract	Shermanin	\$1,353.15
Village Point (3 Ronson)	Villagptin	\$514.44
Grand Total		-\$6,393.94

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:

Helen Usansky	\$35.00
Poonam Dhimar	\$100.00
Meghann Valeo	\$100.00
Cathleen Clifford	\$140.00
Kobena Dadzie	\$100.00
Joycelyn Carandang	\$649.50
Tahereh Taghizadeh	\$100.00

3. RESOLUTION GRANTING PERMANENT EMPLOYEE STATUS TO ANTHONY DIFABRIZIO AS DPW WORKER I AND WILMAR DOS SANTOS AS DPW WORKER 2 IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, Anthony DiFabrizio was hired as DPW Worker I and Wilmar Dos Santos was hired as DPW Worker 2 in the Department of Public Works on December 14, 2021; and

WHEREAS, the Director of Public Works certifies that Mr. DiFabrizio and Mr. Dos Santos performed their duties and assignments in a capable and competent manner; and

WHEREAS, having qualified for regular employee status during the three-month probationary period, the Director of Public Works recommends that regular employee status be conferred upon Mr. DiFabrizio and Mr. Dos Santos effective April 14, 2022.

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 Director of Public Works is hereby accepted and approved.

4. RESOLUTION OF THE TOWNSHIP OF HILLSBOROUGH AUTHORIZING THE CIRCULATION OF A PRELIMINARY OFFICIAL STATEMENT AND FINAL OFFICIAL

STATEMENT IN CONNECTION WITH THE SALE OF CERTAIN COUNTY GUARANTEED LEASE REVENUE BONDS OF THE SOMERSET COUNTY IMPROVEMENT AUTHORITY AND APPROVING A CONTINUING DISCLOSURE UNDERTAKING WITH RESPECT TO SAID BONDS, AND AUTHORIZING AND/OR RATIFYING OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Township Committee of the Township of Hillsborough, in the County of Somerset, New Jersey (the “Township”) has previously adopted an ordinance numbered 2017-06 on July 11, 2017 (the “Original Ordinance”), authorizing the acquisition of approximately 335 +/- acres of land located on certain premises designated as Block 177, Lot 23.02, Block 175, Lot 39.04 and Block 12, Lot 13 as shown on the Tax Maps of the Township (the “Property”) and the necessary environmental remediation of the Property (collectively, the “Project”); and

WHEREAS, pursuant to the Original Ordinance, the Township has heretofore entered into a Lease Purchase Agreement dated as of June 1, 2018 (the “Lease Purchase Agreement”) with the Somerset County Improvement Authority (the “Authority”), providing for the acquisition of the Property by the Authority from the seller thereof, and for the payment by the Township to the Authority of certain lease purchase payments in amounts sufficient to pay the debt service on any Authority bonds or notes (in an aggregate principal amount not to exceed \$20,000,000) issued to finance the Project; and

WHEREAS, on June 7, 2018, the Authority issued \$18,620,000 principal amount of its County Guaranteed Lease Revenue Notes, Series 2018 (Township of Hillsborough Project) (the “2018 Notes”), to finance the costs of the Project and the costs of issuing the 2018 Notes, which Prior Notes matured on June 7, 2019; and

WHEREAS, upon the issuance of the 2018 Notes, the Authority acquired title to the Property and paid to the seller thereof, from proceeds of the 2018 Notes, a portion of the purchase price therefor (with a portion of such purchase price retained in escrow pending satisfaction of certain conditions relating to the environmental remediation of the Property); and

WHEREAS, the seller’s right to receive the escrowed portion of the purchase price (upon satisfaction of such conditions) is secured by a promissory note and mortgage granted by the Authority; and

WHEREAS, on June 5, 2019, the Authority issued \$19,160,000 principal amount of its County Guaranteed Lease Revenue Notes, Series 2019 (Township of Hillsborough Project) (Federally Taxable) (the “2019 Notes”), to refund the maturing principal and interest on the 2018 Notes and to finance the costs of issuing the 2019 Notes; and

WHEREAS, by ordinance numbered 2020-14 adopted on May 14, 2020 (the “Amending Ordinance”), the Township Committee of the Township amended and supplemented the Original Ordinance in order to, among other things, increase the aggregate principal amount of bonds and notes to be outstanding from \$20,000,000 to \$22,000,000, so as to conform to the maximum principal amount of the guaranty ordinance previously adopted by the County of Somerset in support of the Authority’s bonds and notes issued to finance the Project; and

WHEREAS, on June 3, 2020, the Authority issued \$19,815,000 principal amount of its County Guaranteed Lease Revenue Notes, Series 2020 (Township of Hillsborough Project) (Federally Taxable) (the “2020 Notes”), to refund the maturing principal and interest on the 2019 Notes and to finance the costs of issuing the 2020 Notes; and

WHEREAS, on June 1, 2021, the Authority issued \$20,230,000 principal amount of its County Guaranteed Lease Revenue Notes, Series 2021 (Township of Hillsborough Project) (Federally Taxable) (the “2021 Notes”), to refund the maturing principal and interest on the 2020 Notes and to finance the costs of issuing the 2021 Notes; and

WHEREAS, the Township desires to permanently finance the Project now that the remaining conditions relating to the environmental remediation of the Property are expected to be satisfied in the near future; and

WHEREAS, the maturing principal of the 2021 Notes is expected to be paid from proceeds of the Authority’s

County Guaranteed Lease Revenue Bonds, Series 2022 (Federally Taxable) that are expected to be issued in May 2022 (the “Bonds”), with the maturing interest on the 2021 Notes to be paid by the Township from budgeted appropriations; and

WHEREAS, it is currently expected that the Bonds will be repaid over a twenty-five (25) year duration from their date of issuance; and

WHEREAS, in connection with the offering and sale of the Bonds, the Authority intends to distribute a Preliminary Official Statement and final Official Statement setting forth certain information relating to the Township and the Bonds, and the Township also intends to enter into a Letter of Representations and a Continuing Disclosure Agreement in connection therewith; and

WHEREAS, pursuant to the Original Ordinance and the Amending Ordinance, the Mayor, the Township Administrator or other authorized officer of the Township is authorized to execute a revised schedule to the Lease Purchase Agreement, reflecting the debt service payments of the Authority (and the corresponding lease purchase payments by the Township) following the marketing and sale of the Bonds, which revised schedule shall be filed with the Township Clerk promptly following the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HILLSBOROUGH, IN THE COUNTY OF SOMERSET, NEW JERSEY, AS FOLLOWS:

Section 1. Authorization for Township Appendix Relating to the Bonds. The distribution by the Authority, and its municipal advisor and underwriter(s), of the appendix describing the Township and its operations and finances and constituting a portion of the Preliminary Official Statement relating to the Bonds (a draft of which is attached hereto as Exhibit A and shall be filed with the records of the Township) is hereby approved in substantially such form, with such insertions, deletions and changes therein and any supplements thereto as bond counsel may advise and the Township officer reviewing the same may approve. The Mayor, Township Administrator or Chief Financial Officer (each, an “Authorized Officer”) is hereby authorized to deem said Township appendix to the Preliminary Official Statement “final” within the meaning of Rule 15c2-12 of the Rules of the Securities and Exchange Commission and to execute and deliver a certificate to that effect. Any Authorized Officer is hereby authorized to approve the contents and terms of the final Official Statement in respect of the Bonds in substantially the form of the Preliminary Official Statement.

Section 2. Continuing Disclosure Relating to the Bonds. The form of the Continuing Disclosure Agreement relating to the Bonds in substantially the form attached hereto as Exhibit B is hereby approved, and the execution of the Continuing Disclosure Agreement by an Authorized Officer of the Township is hereby authorized. The Township hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement executed by the Township and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

Notwithstanding any other provision of this Resolution, failure of the Township to comply with the Continuing Disclosure Agreement shall not be considered a default on the Bonds; however, any holder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Township to comply with its obligations under this Section.

Section 3. Further Action. On behalf of the Township, the appropriate representatives of the Township are authorized and directed to take all steps which are necessary or convenient to effectuate the terms of this Resolution with respect to the issuance, sale and delivery of the Bonds, including, but not limited to, the execution of a revised schedule to the Lease Purchase Agreement, reflecting the debt service payments of the Authority (and the corresponding lease purchase payments by the Township) in respect of the Bonds, and the execution of a letter of representation and/or bond purchase contract and all tax certificates and other closing documentation. All such actions heretofore taken are hereby ratified, approved and confirmed.

Section 4. Effective Date. This Resolution shall take effect upon adoption.

5. RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF APPLICATION AND GIS FEES FOR KD HILLSBOROUGH 441, INC., FILE 22-PB-02-SV

WHEREAS, on January 24, 2022, KD Hillsborough 441 submitted an Application (File 22-PB-02-SV) to the Planning and Zoning Department for Block 182, Lot 50.01, and Block 182.01, Lot 1, including the fees associated therewith as follows: (a) Total Application Fee \$1,300; (b) Total GIS Fee \$500.00; and (c) Total Escrow Deposit \$1,100.00; and

WHEREAS, the Hillsborough Township Planning Director indicates that upon review of the Application, it was determined to be for minor subdivision approval with two bulk variances and that an overpayment of the Application Fee in the amount of \$500.00 and GIS Fee in the amount of \$250.00 was provided to the Township by the Applicant; and

WHEREAS, the Applicant has requested a refund of the overpayments and the Township Planning Director recommends the Township Committee authorize the refund thereof.

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.

6. RESOLUTION AUTHORIZING THE HIRING OF FOUR (4) POLICE OFFICERS IN THE HILLSBOROUGH TOWNSHIP POLICE DEPARTMENT

WHEREAS, there are four (4) vacancies in the position of Police Officer in the Hillsborough Township Police Department; and

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

WHEREAS, the Chief of Police recommends Brian T. Polacik, Michael R. Liscik, Tiana M. Ramos, and Maurizio L. Toto be hired as Police Officers in the Hillsborough Township Police Department at an annual salary of \$53,096, effective April 27, 2022.

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 Police Chief are hereby accepted and approved.

7. RESOLUTION AWARDING CONTRACT TO INTERSTATE FIREWORKS FOR THE PROVISION OF A FIREWORKS DISPLAY AT THE 2022 HILLSBOROUGH FAMILY FUN EVENT

WHEREAS, the Township of Hillsborough solicited quotes for a fireworks display for the Hillsborough Family Fun Event and one (1) response was received as follows:

Interstate Fireworks

\$ 9,000.00

WHEREAS, the Director and Assistant Director of Parks & Recreation and the Township Qualified Purchasing Agent recommend the award of a contract to Interstate Fireworks in an amount not to exceed \$9,000.00 in accordance with the project specifications and quote submitted; and

WHEREAS, funds will be available in the 2022 budget and have been certified as such by the Chief Finance Officer through account #2-01-30-797-298.

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 Interstate Fireworks in an amount not to exceed \$9,000.00 for the provision of a fireworks display at the Hillsborough Family Fun Event in accordance with the project specifications and quote submitted.

8. RESOLUTION ESTABLISHING THE ANNUAL SALARIES & WAGES OF MUNICIPAL EMPLOYEES

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the annual salaries and wages of the following employees are to be adjusted as listed below effective April 16, 2022:

Name	Position	Base Salary
Dos Santos, Wilmar	Public Works Worker 3	\$47,567.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the above stated annual salaries and wages are hereby approved.

9. RESOLUTION AUTHORIZING RENEWAL NUNC PRO TUNC OF LIQUOR LICENSE 1810-32-002-008 TO HILLSBOROUGH GROUP, LLC, FOR THE 2020-2021 LICENSE TERM

WHEREAS, all liquor license holders are required to submit their liquor license renewal applications and pay all fees associated therewith on or before June 30 of each year; and

WHEREAS, Hillsborough Group, LLC, has filed an application for the renewal of Plenary Retail Consumption License 1810-32-002-008 nunc pro tunc for 2020-2021; and

WHEREAS, Hillsborough Group, LLC, obtained from the Director of the New Jersey Alcohol Beverage Control a special ruling granting relief under N.J.S.A. 33:1-12.39 for said nunc pro tunc renewal; and

WHEREAS, the Hillsborough Township Police Department has conducted an investigation of the licensee to ensure that criminally disqualified and other unfit persons do not acquire or hold direct interests in the retail alcoholic beverage industry and has confirmed that the licensee is not subject to any of the disabilities set forth in Title 33 of the New Jersey Statutes; and

WHEREAS, the Township Clerk has certified that the licensee has posted the required municipal fee of \$2,500 for the Plenary Retail Consumption License and 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 License 1810-32-002-008 is hereby renewed nunc pro tunc to Hillsborough Group, LLC, for the year 2020-2021.

10. RESOLUTION AMENDING RESOLUTION FROM JUNE OF 2021 RENEWING TOWNSHIP LIQUOR LICENSES FOR THE 2021-2022 LICENSE TERM TO CORRECT THE TERM DATE

WHEREAS, the Resolution adopted in June 2021 renewing the Township Liquor Licenses for the 2021-2022 term contained a typo indicating said licenses were being renewed for the year 2021-2021 instead of 2021-2022; and

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; and

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 2021-2022 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

11. RESOLUTION AUTHORIZING THE HIRING OF KARINA AMERMAN TO THE POSITION OF FLOATER FOR THE TOWNSHIP OF HILLSBOROUGH

WHEREAS, there exists a need for part-time floaters for the Township of Hillsborough; and

WHEREAS, the Township Clerk recommends the hiring of Karina Amerman as a part-time floater, effective April 27, 2022, at the rate of \$15/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 personnel recommendation of the Township Clerk is hereby accepted and approved.

12. RESOLUTION APPROVING THE REQUEST FROM THE THREE BRIDGES VOLUNTEER FIRE COMPANY TO HOLD A PORTION OF THE THREE BRIDGES 5-MILE RUN IN HILLSBOROUGH TOWNSHIP ON SATURDAY, AUGUST 13, 2022, PURSUANT TO THE REQUIREMENTS OUTLINED BY THE CHIEF OF POLICE

WHEREAS, Three Bridges Volunteer Fire Company requested permission to hold the Three Bridges 5-Mile Run on Saturday, August 13, 2022, in Hillsborough Township; and

WHEREAS, Three Bridges Volunteer Fire Company has produced a certificate of insurance naming the Township of Hillsborough as an insured; and

WHEREAS, Chief McMahon and Hillsborough Township Police Department's Traffic Safety Bureau have

determined that the planned route will provide an acceptable level of safety for the runners.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Three Bridges Volunteer Fire Company are hereby authorized to hold a race in Hillsborough Township on August 13, 2022.

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

Township Administrator Anthony Ferrera welcomed a new floater.

Deputy Mayor Erickson welcomed the new police officers.

Reverend Rod Williams, 101 Everett Close asked about the hiring of additional or replacement police officers and whether there has been any discussion regarding the hiring of health care professionals or social workers.

Committeeman Tomson explained the new police officers were backfilling vacancies caused by retirements.

Township Administrator Ferrera stated the Police Department just completed training in dealing with persons with special needs and particularly persons with autism.

Lieutenant Nowacki stated he was the hiring coordinator and as part of the recruitment, notices were sent to various organizations representing officers with diversity.

Maria Janucik, 720 E. Frech Ave, Manville asked about the procedure of transfers of money, a renewal of an old liquor license, and questions on other various resolutions.

Mayor Lipani explained that transfers of funds are released as specific items are completed.

Township Attorney Willard explained this is a backdated renewal of a pocket license as allowed by the state.

Township Clerk Borek explained that all discrepancies will be discussed with the ABC.

Meryl Bisberg, 4 Hickory Hill Road, asked regarding consent #4 what the amount is of the bond.

Mayor Lipani stated it is just over 20 million with a 25 year payout.

CLAIMS LIST

1. 2022-07

Mayor Lipani asked to approve Claims List 2022-07.

Upon a motion by Committeeman Doug Tomson, seconded by Deputy Mayor Janine Erickson, Claims List 2022-07, was approved upon the call of the roll.

Maria Janucik, 720 E. Frech Ave, Manville asked about the \$45,288 paid to SDL, and why there is an alternate prosecutor listed.

Township Administrator Ferrera explained this is licensing software fees, and the alternate prosecutor is another attorney in the DiFrancesco Bateman firm.

EXECUTIVE SESSION

None.

ADJOURNMENT

Upon a motion by Deputy Mayor Janine Erickson, seconded by Committeeman Doug Tomson, the meeting duly adjourned at 9:15 pm. Said motion was unanimously carried upon voice vote.

Attested:

A handwritten signature in cursive script that reads "Pamela Borek".

Pamela Borek
Township Clerk