Minutes of the September 13, 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 September 13, 2022.

CALL OF THE ROLL

Upon call of the roll, the following Committee members were recorded present: Mayor Shawn Lipani, Committeeman Robert Britting, and Committeeman Doug Tomson. Also in attendance were Township Clerk Pamela Borek and Township Attorney William Willard. Deputy Mayor Janine Erickson and Committeeman Frank DelCore were absent.

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, September 13, 2022.

APPROVAL OF MINUTES

1. REGULAR MEETING MINUTES OF AUGUST 9, 2022

Upon a motion by Committeeman Robert Britting, seconded by Committeeman Doug Tomson, the Regular Meeting Minutes of August 9, 2022 were approved upon the call of the roll.

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

Let the record reflect that Administrator Ferrara joined the meeting at 7:39 pm.

Committeeman Britting

Committeeman Britting reported that residents living in the Royce Brook neighborhood participated in the second annual Christmas in July fundraiser. Food pantry donations and Shoprite gift cards were donated to Hillsborough C.A.N.

Committeeman Britting advised that the Hillsborough Health Department has free radon test kits available for residents.

Committeeman Britting stated that there are upcoming Covid and Flu vaccination clinics in the next few weeks.

Committeeman Britting announced that there's still time to register for some of the Recreation Department's 2022 Fall Activities, including a 6 week musical theatre workshop for children in grades 3-8, tennis and pickelball lessons, and yoga in the park.

Committeeman Britting stated that the Recreation Department has one more free Movie Under the Stars night featuring Moana at Singley Park on Friday, September 16th.

Committeeman Tomson

Committeeman Tomson advised if an email address is included on a permit, the construction software, SDL, will send residents an email the day before to confirm or cancel a scheduled inspection.

Committeeman Tomson reported that the second phase of Amsterdam Drive (from Vliet Drive to Murphy Drive) was bid and will be awarded to DeSantis Construction, Inc. The project includes upgrades to handicap ramps and drainage inlets prior to repaving, as required. The Township is hoping to get all work completed before the cold weather.

Committeeman Tomson announced that it is still illegal to litter and illegally dump items along roadways, parks, parking lots, open space or really anywhere.

CommitteemanTomson stated that the Police Department would like to remind residents of school bus safety tips including: never pass a stopped school bus when lights are flashing, be aware of increased pedestrian traffic in and around schools and bus stops, if on the opposite side of a median from a stopped school bus, reduce speed to 10 MPH, and remember to allow for extra travel time and anticipate increased volume around schools.

Committeeman Tomson related that the Municipal Alliance & BOROSAFE teams have been working on programs and events for the new school year including Happy Healthy Me, a free program designed to enhance self-esteem, communication, and problem solving skills for young children.

Mayor Lipani

Mayor Lipani stated the grant money for Amsterdam Drive paving provides a little over a mile of paving.

Mayor Lipani thanked the Woods Road Firehouse for the invitation to their 9/11 Ceremony held on Sunday. Mayor Lipani stated "It is our responsibility to continue to commemorate 9/11 and share our stories of that tragic day so that the memories of all those who perished live on".

Mayor Lipani reported that Governor Murphy was in Hillsborough to announce investments in resilient communities on the one-year anniversary of Tropical Storm Ida on Thursday, September 1, 2022.

Mayor Lipani thanked everyone who supported the Annual Rotary Fair this year which was a great success. Mayor Lipani offered a special thanks to all of the volunteers that participated in the Special Needs afternoon. The Mayor also thanked Committeeman Tomson for participating in the Dunk Tank along with him.

Mayor Lipani advised that all are invited to the first annual POW / MIA recognition day, to be held Friday, September 16th at 9 am at the Garden of Honor.

Mayor Lipani reported that the final tax bill for the November 2022, February 2023 and May 2023 property taxes will be mailed on September 27th.

Mayor Lipani informed residents that the Credit Card Advisory Committee is now accepting grant applications for the fall with a deadline of September 30th.

Mayor Lipani announced that there is still a little time to register for the 2nd annual Scarecrow Festival.

PROCLAMATIONS / APPOINTMENTS

1. POW/MIA RECOGNITION DAY

WHEREAS, National POW/MIA Recognition Day is observed on the third Friday of September, on September 16th this year, to recommit to full accountability to the families of the more than 80,000 veterans captured or still missing from wars that the United States has participated in; and

WHEREAS, many service members suffered as prisoners during the several wars that have happened throughout the history of the U.S.; and

WHEREAS, for the families of service members who remain missing in action, the pain and grief are compounded

by a lack of closure and the hope that their sons and daughters, sisters and brothers, parents, and grandparents will one day return home; and

WHEREAS, on National POW/MIA Recognition Day, we remember the debt we owe to them and to their families. We pay tribute to our former prisoners of war and recommit to the difficult but essential task of seeking out answers for the families of those still missing; and

WHEREAS, every day, the iconic black and white flag, a powerful symbol in recognition of the heroism and sacrifice of American POWs and MIAs, flies over memorials and cemeteries, on military installations, at local post offices, on the front lawns of homes across the Nation, and at the Hillsborough Township Municipal Complex; and

WHEREAS, during National POW/MIA Recognition Day, our Nation conveys eternal gratitude to those who endured enemy captivity and those who made the supreme sacrifice and have yet to return home. We will stand with these heroes, who gave their all to protect and preserve our freedoms, and their families, who have kept the faith and longingly pursued answers across these many decades.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Mayor and the Hillsborough Township Committee, do hereby proclaim September 16th as POW/MIA Recognition Day and encourage all to display the black and white flag and pay tribute to those soldiers captured or still missing.

2. OVARIAN CANCER AWARENESS MONTH

WHEREAS, by proclaiming September 2022 as Ovarian Cancer Awareness Month, we call attention to a disease that affects women across our county, state and country; and

WHEREAS, the American Cancer Society is estimating that 12,810 American women are projected to lose their lives to ovarian cancer this year; and

WHEREAS, these women are mothers, daughters, sisters, grandmothers, community members and cherished friends, and the absence they leave in our hearts will be deeply felt forever; and

WHEREAS, women who are middle aged and older, who have a family history of ovarian or breast cancer, or have had certain cancers in the past are at increased risk of developing ovarian cancer; and

WHEREAS, ovarian cancer knows no boundaries, the disease can strike anyone, across lines of age, ethnicity, and race; and

WHEREAS, because ovarian cancer often goes undetected until advanced stages, increasing the awareness of risk factors is critical to fighting this disease, as it is estimated that about 19,880 new cases of ovarian cancer will be diagnosed in the United States this year; and

WHEREAS, this public awareness campaign strives to increase knowledge about this disease and recognizes the best defense against ovarian cancer is early detection. Therefore, it is essential that women know the risk factors associated with the disease, and that men are educated so they can help their wives, daughters, mothers, grandmothers, aunts, sisters and girlfriends; and

WHEREAS, this month is dedicated to the prevention and awareness of ovarian cancer. It is also to honor those we have lost, show our support for women who bravely carry on the fight, and take action to lessen the tragic toll ovarian cancer takes on families across our country.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee do hereby recognize September 2022, as Ovarian Cancer Awareness Month, and call upon citizens, government agencies, organizations, health care providers, and research institutions to raise ovarian cancer awareness and continue helping women live longer, healthier lives and urge women to talk to their health care providers to learn more about this disease.

3. DOMESTIC VIOLENCE AWARENESS MONTH

WHEREAS, Domestic Violence Awareness Month was first recognized in 1981 to connect battered women advocates across the country. The 1994 Violence Against Women Act, combined new provisions that hold offenders accountable and provides programs and services for victims; and

WHEREAS, domestic violence affects millions, both women and men, of every race, religion, culture, and status. Domestic violence is not only physical abuse, it is also yelling, humiliation, stalking, manipulation, coercion, threats and isolation; and

WHEREAS, nearly three out of four Americans personally know someone who is or has been a victim of domestic

violence; and
WHEREAS, Safe+Sound Somerset, the county's lead domestic and sexual violence resource, provide services including a 24-hour call and text crisis helpline, emergency safe house, legal advocacy, individual and group counseling for adults and children, the Financial Empowerment Center, the Domestic Violence Housing First Initiative, crisis response advocates, and Domestic Violence Liaison with DCPP, Family Advocacy, and SPEAK Outreach and Prevention; and
WHEREAS, in 2020 Safe+Sound Somerset provided 5,210 adult and children survivors with 4,353 counseling sessions, 1,824 legal advocacy sessions, 3,832 nights of refuge, meals and other necessities, responded to 3,296 calls and texts to the Helpline, and provided 120 outreach and violence prevention programs to 5,852 students and community members; and
WHEREAS, Safe+Sound Somerset saw a 79% increase in the number of clients served between 2019-2022, highlighting the urgency of domestic abuse during the ongoing COVID-19 pandemic/endemic.
NOW, THEREFORE, BE IT PROCLAIMED, that we, the Mayor and the Hillsborough Township Committee, do hereby proclaim October as Domestic Violence Awareness Month and encourage all to support victims and survivors and speak out against domestic violence.

4. SUICIDE AWARENESS MONTH

WHEREAS, September is known throughout the United States as National Suicide Prevention Awareness Month, an initiative intended to help raise awareness that prevention is possible, treatment is effective, and people do recover; and
WHEREAS, suicidal thoughts can affect anyone regardless of age, gender, race, orientation, income level, religion, or background; and
WHEREAS, according to the United States Centers for Disease Control, each year more than 46,000 people die by suicide; and
WHEREAS, suicide is the 4th leading cause of death among adults in the US, and the 2nd leading cause of death among people aged 10-34, and is one of the most tragic events a family and community can experience; and
WHEREAS, Hillsborough, a Stigma Free community, is no different than any other community in the country, but chooses to publicly state that it lends its full support to local educators, mental health professionals, athletic coaches, scout leaders, police officers, and parents as community partners in being available to one another; and
WHEREAS, in these challenging times, messages of hope and healing are needed now more than ever; and
WHEREAS, BORO SAFE's goal is to raise community awareness that suicide is preventable. Residents are encouraged to educate themselves of the warning signs of suicide, understand suicide is preventable, and that there are resources available; and
WHEREAS, if anyone is in crisis or experiencing suicidal thoughts, call the National Suicide Hotline at 988.
NOW, THEREFORE, BE IT PROCLAIMED, that we, the Mayor and Hillsborough Township Committee hereby declare September 2022 as National Suicide Awareness Month and vow to continue to support suicide awareness programs dedicated to helping our community.

5. RESTAURANT WEEK 5TH ANNIVERSARY

WHEREAS, Hillsborough Township is celebrating the fifth anniversary of their popular Restaurant Week event; and
WHEREAS, Hillsborough's first annual Restaurant Week was held from August 21st through August 26th, 2018; and
WHEREAS, Restaurant Week was launched by the Hillsborough Business Association (HBA) to encourage local food establishments to promote their culinary masterpieces and unique dishes to be enjoyed by all of Hillsborough and surrounding communities; and
WHEREAS, the many restaurants and food establishments offer prix fixe menus and daily specials appealing to a variety of palates and budgets; and
WHEREAS, the HBA, a Hillsborough Township initiative to support local businesses with promotion and development programs is administered by Economic and Business Development Director David Kois and his office; and

WHEREAS, Restaurant Week began with 30 participants and last year grew to 40 food establishments; and
WHEREAS, Restaurant Week has grown into an event that is eagerly anticipated by area foodies every year and continues to promote local Hillsborough eateries.
NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Hillsborough Township Committee, do hereby celebrate the five year anniversary of Restaurant Week and encourage all to participate and enjoy the many wonderful food establishments in our community.

PRESENTATIONS
None

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.

1. Alec Ruiter, 635 Hillsborough Road is a student at Hillsborough High School and part of One Hillsborough and asked the Township Committee to raise more awareness regarding diversity in the town and hopes to work with the township on this issue.

2. Reverend Rod Williams, 101 Everett Close, stated he is dismayed at the events over the past 2 years in Hillsborough, including the police shooting of 2 persons of color and the ongoing harassment and racist behavior against 2 persons of color residing in Hillsborough.

3. Susan Spagnola, 782 Riverside Drive, stated she is here with One Hillsborough and that too many fear diversity and wishes to create a community where everyone is seen and heard.

4. Anna Mahler, 11 Hunt Club Road, stated she is here with One Hillsborough and that real change happens when policies change. She requested a commission of diverse community members to examine polices and practices to ensure that all are represented equally.

5. Jane Staats, 101 Devonshire Court, stated she is here with One Hillsborough and that everyone agrees that actions are necessary to end racism and looks forward to the Township Committee following through on its commitment.

6. Joyce Howard Eldrige, 75 Weber Ave., stated she is here with One Hillsborough and asked how is Hillsborough the best place to live when a couple of color are harassed by their next door neighbor.

7. Cindi Assini, a Hillsborough School District employee and resident of Hillsborough, stated Hillsborough should follow the lead of Montgomery and Princeton in creating diversity inclusion committees and Bridgewater for having a pilot program of bringing social workers into the police department.

8. Nishat Ruiter, 635 Hillsborough Road, stated she is here with One Hillsborough which is open to all residents and invited the Township Committee to a movie screening on October 15th regarding bias and prejudice.

9. Norman Cousar, 710 Robin Road, stated he and his girlfriend have experienced continued harassment and intimidation over the past 2 years from a neighbor with no resolution. He filed reports with the police department, went to court, and entered into a mediation agreement. Actions have escalated and he is asking the State Attorney

General, County Sheriff and others to get involved.

10. Maria Janucik, 720 E. Frech Ave, Manville, asked when the Mindel property was purchased by the town and for how much.
Mayor Lipani advised that it was purchased either late December 2021 or January 2022 for about 13 1/2 million dollars.

11. Alicia Williams, 710 Robin Road, stated she has been experiencing tremendous harassment from their neighbor and she feels that no one is listening to her or her boyfriend.

12. Chief McMahon stated he sympathizes with Alicia Williams and Norman Cousar but states that the police department has taken every action to investigate and everything has been sent to the prosecutors and the State Attorney Generals office. Attorney Willard stated that this case is now at the Somerset County Prosecutors Office and it is not within the purview of the Township Committee.

PUBLIC HEARINGS

1. 2022-14 AN ORDINANCE APPROPRIATING CERTAIN MONIES HELD BY THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY, FOR THE PURCHASE OF VARIOUS CAPITAL IMPROVEMENTS IN THE AMOUNT OF $447,000.00 IN AND FOR THE TOWNSHIP OF HILLSBOROUGH.

WHEREAS, there are funds available in the Hillsborough Township Capital Improvement Fund in the amount of $447,000.00; and

WHEREAS, the Hillsborough Township Committee has determined there is a need to appropriate the aforesaid Capital funds for the following purposes and amounts:

1	Sidewalk Replacements	$100,000.00
2	Two (2) Ford F-250 Pickup Trucks with Snowplows	$ 87,000.00
3	Replacement of 1999 Dump Truck	$260,000.00
		$447,000.00

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the aforementioned sums are hereby appropriated.

This ordinance shall take effect upon final adoption and publication according to law.
Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Robert Britting, to open the public hearing on Ordinance 2022-14, the motion was unanimously approved upon the call of the roll.

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Robert Britting, to close the public hearing and adopt Ordinance 2022-14, the motion was approved upon the call of the roll.

INTRODUCTION OF NEW ORDINANCES

1. 2022-15 AN ORDINANCE AMENDING CHAPTER 169 "FIRE ZONES", SECTION 169-5 "FIRE ZONES DESIGNATED" OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET

COUNTY, NEW JERSEY, TO INCLUDE ADDITIONAL AREAS AS DESIGNATED FIRE ZONES. FURTHER CONSIDERATION AND A PUBLIC HEARING WILL BE HELD ON OCTOBER 11, 2022.

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

Section 1. Chapter 169 "Fire Zones", Section 169-5 "Fire zones designated" of the Code of the Township of Hillsborough is hereby amended as follows to include additional areas as designated fire zones:

§ 169-5. Fire zones designated.

A. The following areas are hereby designated as fire zones:

(78) 211 Route 206 (Block 141, Lot 31.01)
(a) Beginning 63 feet north from the northwest corner of the building and extending 87 feet northeast, continuing 100 feet east and continuing 73 feet southwest.
(79) 6 Dickerson Road (Block 58, Lot 67)
(a) Beginning 25 feet east of the southeast corner of the building and extending 110 feet east.
(80) 351 Route 206 (Block 182, Lot 37)
(a) Beginning at the northwest corner of building extending 369 feet east and continuing 112 feet south.
(81) 3 Jill Court (Block 200.05, Lot 14)
(a) Beginning at the southwest corner of building extending 54 feet south.
(b) Beginning at the southeast corner of building extending 54 feet south.
(c) Beginning at the northwest corner of building extending 103 feet east.
(82) 4 Jill Court (Block 200.05, Lot 7)
(a) Beginning at the northwest corner of building extending 51 feet north.
(b) Beginning at the northeast corner of building extending 51 feet north.
(c) Beginning at the southwest corner of building extending 101 feet east.
(83) 5 Jill Court (Block 200.05, Lot 13.)
(a) Beginning at the southwest corner of building extending 54 feet south.
(b) Beginning at the southeast corner of building extending 54 feet south.
(c) Beginning at the northwest corner of building extending 98 feet east.

(84) 6 Jill Court (Block 200.05, Lot 14)
(a) Beginning at the northwest corner of building extending 74 feet north.
(b) Beginning at the northeast corner of building extending 74 feet north.
(c) Beginning at the southwest corner of building extending 104 feet east.
(85) 1 Housel Circle (Block·178, Lot 4.01) ·
(a) Beginning at the northwest corner of building extending 88 feet south.
(86) 2 Housel Circle (Block 178, Lot 4.01)
(a) Beginning at the southwest corner of building extending 20 feet northwest.
(87) 6 Housel Circle (Block 178, Lot 4.01)
(a) Beginning at the southeast corner of building extending 20 feet north.
(88) 2 Dally Road (Block 178, Lot 4.01)
(a) Beginning at the southwest corner of building extending 20 feet east.
(89) 384 Amwell Road (Block 200.01, Lot 4.01)
(a) Beginning at the northeast corner of building 1, extending 75 feet south.
(b) Beginning at the northwest corner of building 4, extending 93 feet south.
(c) Beginning at the southwest corner of building 5, extending 70 feet southeast.
(d) Beginning at the southwest and southeast corners of building 7, extending 128 feet north.
(b) Beginning at the northwest and northeast corners of building 8, extending 80 feet south.
(c) Beginning at the northwest and northeast corners of building 9, extending 82 feet south.

(90) 1 Treeman Lane (Block 141, Lot 30)
(a) Beginning at the southwest corner of building extending 95 feet east.
(91) 2 Treeman Lane (Block 141, Lot 30)
(a) Beginning at the southwest corner of building extending 230 feet south.
(b) Beginning across from the southwest corner of the building extending 83 feet west.
(c) Beginning at the southwest corner of building extending 101 feet east.
(92) 6 Treeman Lane (Block 141, Lot 30)
(a) Beginning at the southwest corner of building extending 244 feet northeast.
(93) 7 Treeman Lane (Block 141, Lot 30)
(a) Beginning at the northeast corner of building extending 220 feet west.
(94) 9 Treeman Lane (Block 141, Lot 30)
(a) Beginning at the southeast corner of building extending 109 feet northeast.
(95) 10 Treeman Lane (Block 141, Lot 30)
(a) Across from the southeast corner of building extending 94 feet north.
(96) 15 Treeman Lane (Block 141, Lot 30)
(a) Beginning at the southeast corner of building extending 128 feet northwest.
(97) 6 Shell Court (Block 141, Lot 30)
(a) Beginning at the northeast corner of building extending 127 feet southwest.
(98) 6 Woodruff Boulevard (Block 141, Lot 30.02)
(a) Beginning at the southwest corner of building extending 62 feet northwest.
(99). 32 FaIcon Road (Block 141, Lot 16.02)
(a) Access driveways east and west side of property, beginning at a point 40 feet to the south of the building and extending 68 feet south.

Section 2. This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law. 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 Committeeman Robert Britting, seconded by Committeeman Doug Tomson, to introduce Ordinance 2022-15. Further Consideration and a Public Hearing will be held on October 11, 2022., the motion was unanimously approved upon the call of the roll.

2. 2022-16 AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY, TO CHANGE THE ZONE DESIGNATION FOR CERTAIN LOTS FROM CDZ CORPORATE DEVELOPMENT AND/OR O-5 OFFICE/RESEARCH TO R RESIDENTIAL AND/OR RA RESIDENTIAL/AGRICULTURAL. FURTHER CONSIDERATION AND A PUBLIC HEARING WILL BE HELD ON OCTOBER 11, 2022.

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

Section 1. Purpose.

An analysis of the CDZ Corporate Development and O-5 Office/Research zoning districts conducted by the Planning and Zoning Department illustrated that both districts have been systematically reduced in size and geometry over the years resulting in several disconnected parcels that are no longer reflective of the surrounding land uses or the Township Master Plan. The purpose of this ordinance is to rezone those properties to be consistent

with the surrounding land uses and incorporate them into the adjoining zones.

Section 2. Zoning Map Amendment.

The Zoning Map of the Township of Hillsborough, Somerset County, New Jersey, is hereby amended to change the zone designations for the following tax lots as illustrated on the attached map:

In Block 183 – Rezone Lots 27 and 29.01 from CDZ Corporate Development to RA Residential/Agricultural.

In Block 183.01 – Rezone Lots 1.01, 39 and 40 from O-5 Office/Research to R Residential.

In Block 183.05 – Rezone Lot 35 from O-5 Office/Research to R Residential.

In Block 183.06 – Rezone Lot 1 from O-5 Office/Research to R Residential.

In Block 200.10 – Rezone Lot 17 from CDZ Corporate Development to RA Residential/Agricultural.

Section 3. This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning, and land use regulations. 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 4. If any provisions of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.

Section 5. After introduction, the Township Clerk is hereby directed to provide a copy of the within Ordinance to the Planning Board for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A.40:55D-64. The Planning Board is directed to make and transmit to the Township Committee within 35 days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 6. After introduction, the Township Clerk is hereby directed to provide by personal service or certified and regular mail, at least 10 days prior to the scheduled hearing, a copy of this Ordinance and a Notice of Hearing in accordance with N.J.S.A. 40:55D-62.1 to: (1) the owners of the properties affected by this Ordinance; (2) the owners of all properties within 200 feet of the boundaries of the affected properties; (3) the Office of Planning Advocacy; and (4) any military facility commander who has registered with the municipality.

Section 7. After introduction, the Township Clerk is hereby directed to provide by personal service, certified mail or email with confirmation that the email was delivered, at least 10 days prior to the scheduled hearing, a copy of this Ordinance and a Notice of Hearing in accordance with N.J.S.A. 40:55D-15 to: (1) the clerk of any adjoining municipalities located within 200 feet of the boundaries of the affected properties; and (2) the County Planning Board.

Section 8. This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Robert Britting, to introduce Ordinance 2022-16. Further Consideration and a Public Hearing will be held on October 11, 2022., the motion was unanimously approved upon the call of the roll.

3. 2022-17 AN ORDINANCE AMENDING CHAPTER 188 "LAND USE AND DEVELOPMENT", ARTICLE I "TITLE; PURPOSE; DEFINITIONS", SECTION 188-3 "WORDS AND TERMS DEFINED" AND ARTICLE V "DISTRICTS AND STANDARDS", SECTION 188-107.1 "LI LIGHT

INDUSTRIAL DISTRICT", OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY. FURTHER CONSIDERATION AND A PUBLIC HEARING WILL BE HELD ON OCTOBER 11, 2022.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Chapter 188 "Land Use and Development", Article I "Title; Purpose; Definitions", Section 188-3 "Words and terms defined" and Article V "Districts and Standards", Section 188-107.1 "LI Light Industrial District", of the Code of the Township of Hillsborough, Somerset County, New Jersey, is hereby amended as follows: **New language is underlined thus and deletions are indicated with strikethroughs ~~thus~~.**

Section 1. Chapter 188 "Land Use and Development", Article I "Title; Purpose; Definitions", Section 188-3 "Words and terms defined" is amended to add Large Format Supermarket to the list of defined phrases and words.

B. Certain phrases and words are herein defined as follows:

LARGE FORMAT SUPERMARKET
A retail establishment devoted principally to the sale of food as well as other convenience and household goods containing a minimum gross floor area of 75,000 square feet.

Section 2. Chapter 188 "Land Use and Development", Article V "Districts and Standards", Section 188-107.1 "LI Light Industrial District" is amended as follows:

§ 188-107.1 LI Light Industrial District.

A. Purpose. The purpose of the LI Light Industrial District is to provide areas where a wide range of office, industrial and other nonresidential uses are permitted within the limits of design and environmental regulations. This district is located conveniently to the Route 206/freight rail corridor, where some industrial parks and scattered industry now exists but where the potential for industrial growth is good due to convenient transportation routes, utility services and population proximity. Transportation routes into and out of this district will improve because of the planned construction of the Route 206 Bypass with intersections at Hillsborough Road and at existing Route 206 and Mountain View Road.

B. Permitted principal uses. All uses shall be provided at a scale and size that is appropriate for the district. There may be more than one permitted principal use or structure on a lot, subject to compliance with § 107.1B to H below.

(1) Research and product development laboratories mainly devoted to research, design, and testing or experimentation, including processing or fabricating that is clearly subordinate to the principal uses, and specifically excluding the manufacturing, distribution or fabricating on the premises of materials or finished products for sale directly to the general public.
(2) Offices, including medical offices and veterinary hospitals.
(3) Computer centers, data processing and communications facilities.
(4) Pharmaceutical research and development operations, which includes discovery through clinical trials.
(5) Pilot plants, which are facilities used to test concepts and ideas and to secure other information prior to full-scale production.
(6) Solar, wind and other alternative energy research and development facilities.
(7) Warehousing, shipping and receiving located completely within an enclosed building.
(8) The manufacturing, processing, finishing and assembly of products completely within an enclosed building.
(9) Child-care and adult day-care centers. Child-care and adult day-care centers shall be subject to site plan approval. Site plan approval is also required where the original site plan does not anticipate use of all or a part of the premises as a child-care or adult day-care center but such use subsequently occurs. No building permit shall be issued for modification of all or part of the premises for use as a child-care or adult day-care center until revised site

plan approval has been obtained from the Planning Board or Board of Adjustment, as appropriate.
(10) Public playgrounds, conservation areas, parks and other public gathering places.
(11) Agriculture support service, subject to site plan review and the following specific requirements:
(a) Any fertilizers, pesticides, soil conditioners or other bulk chemicals not in individual containers or bags shall be housed in a secure, dry storage facility.
(b) Any mixing of dry agricultural chemicals and a solvent shall take place in a structure sufficiently large to securely contain the maximum amount to be mixed.
(12) Garden centers or plant nurseries.
(13) Home improvement centers.
(14) Farm markets.
(15) Contractor facilities.
(16) Industrial or office park, subject to site plan review and the following special requirements:
(a) A minimum tract area of 20 acres.
(b) No individual lot shall contain less than one acre.
(c) All individual lots must comply with the area, yard and bulk requirements contained in § **188-106** for the I-1 District.
(17) Commercial instructional activities.
(18) Retail sales of goods and services limited to products manufactured by that company, such as a service center for office computers or copying machines, or the retail sale of secondhand, damaged or rejected products produced by the company, such as an outlet store, and which shall not exceed 5% of the gross floor area.
(19) Fiduciary institutions.
(20) Indoor recreation facilities and wellness centers.
(21) Freestanding restaurants and restaurants located in multi-use buildings, not including drive-through facilities.
(22) Large Format Supermarkets.
C. Permitted accessory uses and structures.
(1) Uses customarily associated with the above permitted uses, provided that such uses are subordinate to the principal use, do not change the character of the principal use and serve only the principal use.
(2) Restaurants or cafeterias supplying meals only to employees and guests of a permitted use; as well as newsstands, post offices, health clubs, copy centers, credit unions and banking facilities and similar conveniences serving only employees and guests of the permitted uses.
(3) Conference center and in-service training school for on-site employees.
(4) Indoor and outdoor corporate recreation facilities, such as tennis courts, basketball courts, jogging paths and exercise stations and ball fields, provided that such uses, including any accessory buildings associated therewith, shall be planned as an integral part of the site and as a direct support to the permitted principal uses.
(5) Maintenance, utility and storage facilities subordinate to any permitted use.
(6) Surface parking and loading provided in conjunction with a permitted use.
(7) Bus stop shelters, bike racks, mailboxes, phone booths, waste receptacles, gatehouses, benches, kiosks, drinking fountains, art sculptures, plazas, water features and other pedestrian and transit amenities.
(8) Trash and garbage collection areas which are fully screened and constructed of materials that are compatible with the structure to which they are associated.
(9) Loading areas which are fully screened such that the screening materials are compatible with the structure to which they are associated.
(10) Outdoor storage may be provided in the side and/or rear yard in conjunction with a permitted use, such that a minimum twenty-foot buffer is required, except that a minimum sixty-foot buffer is required where located adjacent to any residential zone boundary or residential lot line. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation is sufficient to provide a year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or fencing and/or a berm, as appropriate. A conservation easement shall be established by the applicant to include the required buffer area, subject to approval by the Township Attorney and recorded prior to the issuance of a certificate of occupancy.
D. Conditional uses. Any buffer, bulk and parking requirements not specifically enumerated in this section for any conditional use shall be as required in Subsections **E** and **F** below.
(1) Automobile service facility.

(a) All lubrication, repair or similar activities shall be performed within a building or enclosed structure, and no dismantled parts shall be stored or displayed outside of a building or enclosed structure.
(b) No junked motor vehicle or part thereof, or such vehicles incapable of normal operation upon a roadway, shall be permitted on the premises of the automobile repair facility.
(c) There is one parking space required for each employee plus two spaces for each service bay.
(d) The minimum building setback is 75 feet to any residential zone boundary or residential lot line.
(e) A minimum sixty-foot buffer from any land disturbance shall be provided to any adjoining property line. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation is sufficient to provide a year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or fencing and/or a berm, as appropriate. A conservation easement shall be established by the applicant to include the required buffer area, subject to approval by the Township Attorney and recorded prior to the issuance of a certificate of occupancy.
(2) (Reserved)
(3) Gasoline service stations.
(a) Must be located at least 75 feet from any residential zone boundary or residential lot line.
(b) A minimum sixty-foot buffer from any land disturbance shall be provided to any adjoining property line. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation is sufficient to provide a year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or fencing and/or a berm, as appropriate. A conservation easement shall be established by the applicant to include the required buffer area, subject to approval by the Township Attorney and recorded prior to the issuance of a certificate of occupancy.
(c) There is one parking space required for each employee plus two spaces for each service bay.
(d) A retail convenience store may be provided in conjunction with a gasoline service station, provided that the following standards are followed:
{1} A minimum of 3.5 parking spaces is provided per 1,000 square feet of gross floor area.
{2} A screened trash enclosure must be located at least 75 feet from any property line.
(e) All lubrication, repair or similar activities shall be performed within a building or enclosed structure, and no dismantled parts shall be stored or displayed outside of a building or enclosed structure.
(f) No junked motor vehicle or part thereof, or such vehicles incapable of normal operation upon a roadway, shall be permitted on the premises of the gasoline service station.
(g) Auto repair may be provided in conjunction with a gasoline service station, provided that all repairs are conducted inside a building.
(4) Outside manufacturing operations:
(a) Minimum lot size: five acres.
(b) Minimum lot width: 300 feet.
(c) A minimum sixty-foot buffer is required to any adjoining property line, except that a minimum one-hundred-foot buffer is required to any residential zone boundary or residential lot line.
(5) Private recreation complex.
(a) Minimum lot size: 10 acres.
(b) Minimum lot width: 300 feet.
(c) Minimum buffer: 100 feet from any residential zone boundary or residential lot line.
(6) Self-service storage facilities.
(a) One ten-foot-wide parking and loading zone shall be provided adjacent to each bay of storage buildings, exclusive of required aisle widths.
(b) The minimum aisle width for access to storage units shall be a minimum of 24 feet for two-way travel and 15 feet for one-way travel, exclusive of parking and loading zones.
(c) An on-site office for the management of the facility is provided.
(d) Off-street parking shall be provided in the vicinity of the office at a ratio of one space per 50 units or part thereof.
(e) The storage facility shall not exceed one story in height or 15 feet, whichever is less.
(f) The storage facility shall be so designated so that no entryway into a storage unit shall face a public right-of-way.
(g) A minimum sixty-foot buffer is required to any adjoining property line. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation is sufficient to provide a year-round screen or if the

existing vegetation needs to be enhanced by additional plantings and/or fencing and/or a berm, as appropriate. A conservation easement shall be established by the applicant to include the required buffer area, subject to approval by the Township Attorney and recorded prior to the issuance of a certificate of occupancy.

(7) Off-street parking in multistory structures, subject to the following standards:

(a) A parking structure no taller than 20 feet (i.e., on grade plus one elevated level) shall be a permitted conditional use if such structure is set back at least 100 feet from any tract boundary line. The parking garage may be higher in order to accommodate a roof with solar energy panels.

(b) Parking structures shall be architecturally compatible with primary on-site buildings and structures. The location of parking structures shall be limited by minimum setback requirements to assure adequate shielding from off-site views from surrounding residential neighborhoods. Ample landscape screening shall be provided by the applicant to soften visual impacts associated with the construction of parking structures.

(c) Parking structures shall be included as part of the building coverage calculation but shall not be included in the calculation of floor area ratio.

(d) The development phasing schedule shall include the construction of parking structures in one of the early phases and prior to the issuance of a certificate of occupancy for any of the last 50% of the associated land uses.

(8) Freestanding restaurants with drive-through facilities subject to the following conditions:

(a) ~~Frontage must be located along and access provided from Route 206.~~ A drive-through service window shall not be located on the street side of the building or in front of the front building line and shall not encroach on any required buffers.

(b) ~~There shall be a minimum sixty-foot buffer adjacent to any residential zone boundary or residential lot line, unless otherwise indicated. Such buffer shall be reviewed by the appropriate board to determine if the existing vegetation is sufficient to provide a year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or fencing, and/or a berm, as appropriate. A conservation easement shall be established by the applicant to include the required buffer area subject to the approval of the Township Attorney and recorded prior to the issuance of a certificate of occupancy.~~ A drive-through facility shall be limited to two service lanes and one bypass lane.

(c) ~~Drive-through facilities shall not be located within 500 feet of any other permitted use with a drive-through facility, public or private school or house of worship.~~ A drive-through facility and associated signage shall be provided with landscaping to visually enhance views of the facility, signage and driveway as seen from the surrounding area.

(d) The stacking driveway for the drive-through window shall provide room for at least five automobiles and shall be separated from any off-street parking areas and their access aisles, loading areas or trash enclosures.

(e) A drive-through facility shall not adversely impede or conflict with pedestrian and/or vehicular circulation in the area.

(f) A drive-through service window shall be set back a minimum distance of 50 feet from the property line of any adjoining residential use or zone.

(g) Minimum parking shall be one space per 3 seats.

(9) Dispatch services.

(a) Minimum lot size: two acres.

(b) Minimum lot width: 200 feet.

(c) Minimum front yard: 50 feet.

(d) Minimum side yard: 25 feet.

(e) Minimum rear yard: 150 feet.

(f) Maximum impervious coverage: 60%.

(g) Maximum building height: 35 feet.

(h) Minimum buffer: 20 feet, except that a minimum fifty-foot buffer is required where located adjacent to a residential zone boundary or to an existing residence lot line.

(i) The minimum number of off-street parking spaces for dispatch services shall be 3.5 spaces per 1,000 square feet of usable floor area.

10) Retail sales of goods and personal service establishments not otherwise permitted in §188-107.1.B. subject to the following conditions:

(a) The building(s) housing the retail sales and personal service establishments must be associated with and built in conjunction with a large-format supermarket as defined in Section 188-3 and have direct pedestrian and vehicular connections to the supermarket.

(b) The maximum gross floor area of space dedicated to retail sales and personal service establishments shall be 20,000 square feet.

(c) The building(s) housing the retail sales and personal service establishments must have direct access to and/or frontage on Route 206.

(d) Minimum parking shall be three spaces per 1,000 square feet of gross floor area.

E. Area, yard, bulk and site perimeter requirements.

(1) Buffer requirements. A minimum twenty-foot buffer is required, except that a minimum sixty-foot buffer is required where adjacent to any residential district or existing residential use included as part of this requirement, unless otherwise indicated. Such buffer shall be reviewed by the appropriate Board to determine if the existing vegetation provides a sufficient year-round screen or if the existing vegetation needs to be enhanced by additional plantings and/or a fence or berm. Once all screening/landscaping improvements are completed, a conservation easement shall be established by the applicant for the buffer area, subject to approval by the Township Attorney and recorded prior to the issuance of a certificate of occupancy.

(2) Fencing requirements. Fencing may be provided on the perimeter of the tract, or within the tract, provided that the fencing is of an architecturally compatible design and consistent throughout the tract. No fence shall exceed a height of five feet above finished grade.

(3) Area, yard and bulk regulations.

(a) Minimums:

{1} Lot area: two acres.

{2} Lot width: 200 feet.

{3} Lot depth: 250 feet.

{4} Front yard: The minimum front yard shall be 40 feet.

{5} Side yard: The minimum side yard shall be 20 feet. There shall be no internal side yard setback where multiple buildings occur on one lot.

{6} Rear yard: 75 feet.

(b) Maximums:

{1} Floor area ratio: 0.30.

{2} Total impervious coverage: 60%.

{3} Building height: three stories or 60 feet.

F. Off-street parking requirements.

(1) The minimum number of required off-street parking spaces for the permitted uses in the LI District is as follows:

(a) Office: three spaces per 1,000 square feet of usable floor area.

(b) Medical office, veterinary hospital: four spaces per 1,000 square feet of usable floor space.

(c) Child-care center: one space per employee plus one space per 10 children enrolled.

(d) Public uses, including municipal, county and state-owned facilities: four spaces per acre or portion thereof.

(e) Research and development facilities, computer centers, data processing and communications facilities and pilot plants: 2.5 spaces per 1,000 square feet of usable floor area.

(f) Catering facilities: four spaces per 1,000 square feet of usable floor area.

(g) Indoor recreation/wellness facilities and private recreation complexes: 3.5 spaces per 1,000 square feet of usable floor area.

(h) Contractor facilities: 2.5 spaces per 1,000 square feet of usable floor area.

(i) Manufacturing uses: one space per 1,500 square feet of usable floor area.

(j) Warehousing uses: one space per 5,000 square feet of usable floor area.

(k) Large Format Supermarkets shall have four spaces per 1,000 square feet of gross floor area.

G. Supplemental regulations to the LI District.
(1) The requirements contained in §§ **188-167** to **188-175L** of the Architectural and Site Design Overlay Zone shall apply, except as otherwise provided in the LI District requirements.
(2) Site building standards.
(a) Building placement, front setback.
{1} Service areas and any new parking shall be located in the side or rear yards with the exception that a portion of the required parking for a large-format supermarket may be located in the front yard. The maximum amount of front-yard parking will be determined by the reviewing board during the site plan review process based on circulation patterns and the project's adherence with other applicable Architectural and Site Design Overlay standards.

(b) Building placement, orientation.
{1} Buildings and site improvements shall be designed to minimize changes to existing topography and mature vegetation.
{2} The primary entrance of each building shall accommodate pedestrian access from the streets as well as from the parking lots.
{3} Secondary public entrances, if provided, shall be designed in a manner consistent with primary entrances if visible from public streets or parking lots.
(c) Vehicular and pedestrian access.
{1} A maximum of one curb cut shall be allowed for lots with street frontage less than or equal to 500 feet. One pair of one-way curb cuts shall count as one curb cut.
{2} For lots with street frontage greater than 500 feet, one additional driveway opening per 250 feet of street frontage shall be allowed.
{3} The maximum width of curb cuts shall be 12 feet for one-way drives and 24 feet for two-way drives. Wider curb cuts with landscaped medians may be allowed for multidirectional traffic on lots with street frontage greater than 250 feet or for shared driveways.
{4} Shared driveways that serve more than one property may be provided where deemed appropriate by the Planning Board or Board of Adjustment. Cross-access shall be required between adjoining properties.
{5} Bicycle connections to the primary public entrance of the building shall be provided where a public sidewalk or bikeway is adjacent to the property.
{6} To the greatest extent possible, all portions of the development shall be linked via a sidewalk and pathway network as approved by the Planning Board or Board of Adjustment; the site shall be pedestrian-oriented, with a design that enables and encourages pedestrian and bicycle circulation, with linkages to surrounding areas. The applicant shall utilize the Master Plan in developing a pedestrian and bicycle pathway network. Bicycle storage facilities shall be provided.
(3) Route 206 right-of-way. The following are specific requirements for the property fronting along Route 206:
(a) The right-of-way shall be at least 86 feet.
(b) A five-foot-wide sidewalk and ten-foot-wide planting strip between the sidewalk and right-of-way, with street trees and curbing, shall be provided along property frontage.
(c) On-street parking is prohibited.
(4) Landscaping.
(a) A landscape plan shall be provided for the entire site and shall be prepared by a licensed landscape architect.
(b) All trees planted in front of the front building line shall be at least three inches in diameter for single-stemmed trees, or 10 to 12 feet in height for multistemmed trees, at the time of planting. All other trees shall be 2 1/2 inches in diameter at the time of planting, unless otherwise provided by these standards.
(c) Existing trees having a DBH (diameter at breast height, measured at 4 1/2 feet above ground level) over six inches shall be preserved unless removal is approved by the Planning Board or Zoning Board of Adjustment. If a preserved tree dies, it must be replaced with a two-and-one-half-inch-diameter tree of the same or similar tree species, subject to approval by the Township Planning Department.
(d) Impervious materials shall not be placed over the critical root zone of a preserved tree. The critical zone is a ratio of one inch DBH to one foot radius around the tree.
(e) All exposed soil areas shall be covered with bark, mulch, or other weed-control measures.

(f) A single row of canopy trees shall be planted along property lines abutting a street at a ratio of one tree for every 40 linear feet within a minimum ten-foot-wide planting strip.
(g) Canopy trees shall be planted within the front yard setback area.
(h) In addition to the required street trees, the front yard of any nonresidential or mixed property shall be landscaped with appropriate plantings in order to provide a green strip along the Route 206 frontage. This shall include appropriate plantings as part of any stormwater management facility that may be located in the front yard. The use of stone similar to that incorporated into the wall found along the Route 206 frontage of the Duke Estate is encouraged to be likewise utilized as part of any low screening wall, fence, sign base or similar feature intended to supplement the landscaping in the front yard, as appropriate.
(5) Off-street parking site design.
(a) Parking areas shall be designed as a series of smaller lots that provide space for no more than 20 cars for double-sided parking and 10 cars for single-sided parking. The small parking lots shall be separated by minimum five-foot-wide internal planting areas that feature trees planted in grass or other approved landscape material.
(b) Parking areas shall be located in the side or rear yards and not in front of the buildings.
(c) All parking areas, where visible from a public street, shall be screened by a five-foot-high solid wall, architectural fence and/or solid evergreen hedge.
(d) One canopy tree shall be provided at a ratio of one tree to every four parking spaces in that area.
(e) Each parking space shall be within 50 feet of the trunk of a planted or retained tree.
(f) Where slopes over 5% exist, parking bays shall be terraced, with planting between changes in level.
(g) Where over 50 parking spaces are provided, pedestrian pathways identified with smaller-scale pavement (pavers or scoring) oriented toward the principal building entrances shall be provided.
(h) Each separate planting area shall have a minimum of 150 square feet per tree and shall have a minimum dimension of at least five feet.
(i) In addition to required trees, planting areas shall be landscaped with shrubs, ground cover, or other approved landscaping material not exceeding 3 1/2 feet in height.
(j) Where parking is adjacent to a public right-of-way, a ten-foot-wide landscape buffer shall be provided between the edge of the right-of-way and the edge of the parking lot. In addition to the required trees, the buffer shall consist of one of the following:
{1} One shrub per every three linear feet.
{2} Berm with a three-foot minimum height, which shall be planted with ground cover, shrubs and trees.
(k) Parking areas shall be designed to be interconnected with adjacent properties and shall utilize common entrances and exits where feasible to minimize access points to the street. Such interconnections shall be established through an appropriate cross-access easement. The use of rear lanes or commercial service roads is encouraged to avoid individual curb cuts onto Route 206.
(l) Shared parking shall be encouraged. The Planning Board or Board of Adjustment, as appropriate, may approve an equivalent parking ratio based upon shared parking and use of cross-access easements with the off-street parking of an adjacent tract within the ASD Overlay Zone.
(m) Large undivided parking areas are prohibited. Large parking areas should be functionally divided by internal circulation corridors or aisles to establish several smaller lots to prevent random or high-speed movements and to provide for the planting of street trees and other landscaping. The recommended maximum number of spaces within such a sublot, or lots separated by an island or planting strip, shall be 100 spaces, with 50 or fewer preferred. End aisles should be delineated by a landscaped island, not by painted asphalt.
(n) There shall be a comprehensive network of sidewalks and front, sides and rear of the buildings. The sidewalks and passageways shall be linked to other off-site pedestrian connections where appropriate based on proximity to existing residential areas, proposed intended use of the building, and provision of existing or planned pedestrian or bicycle improvements.
(o) Pedestrian passageways shall connect rear parking lots between buildings with textured walking surfaces, street furniture and landscaping. In addition, the design of the building may incorporate window displays, side door entrances, or other interesting features along the passageway. Lighting should be provided for all parking facilities and sidewalks.
(6) Pedestrian circulation.
(a) Paving materials shall identify pedestrian circulation areas within the parking lots.

(b) Pedestrian walkways, at least five feet in width, shall be provided from public sidewalks adjoining the property to a principal public/customer entrance.
(c) Along facades with a public/customer entrance and along any facade abutting public parking areas, sidewalks, at least five feet in width, shall be provided along the full length of the facade.
(d) Walkways shall have at least two of the following:
{1} Landscaped areas along at least 30% of their length;
{2} Use of smaller-scale pavement (pavers or scoring);
{3} Pedestrian scale lighting; and
{4} Rain protection (awnings, arcades).
(e) Common areas shall be accessible from all buildings and connected by a comprehensive, on-site pedestrian circulation system. Clearly defined buffers enhance the attractiveness of the streetscape and promote pedestrian safety. Sidewalks and plazas should be made comfortable for use by pedestrians through the use of landscaping, overhangs and canopies in order to provide shade and non-heat-absorbing materials. Pedestrian circulation layout on any development site should take into account on-site generators of pedestrian movement, such as open spaces, schools, retail centers, and bus stops.
(7) Decorative walls, fences and screening design.
(a) Decorative walls and fencing may be required by the Planning Board or Board of Adjustment, as appropriate, to compliment the structure style, type and design of the principal structure.
(b) Walls and fencing are allowed only in side and rear yards and in the front yard behind the front building line, with the exception of outdoor eating and play areas.
(c) Walls and fencing shall be constructed of durable high-quality materials and shall display a high quality in finish and detail; made of masonry, ornamental metal, wood, stucco, or a combination of these materials.
(d) Walls and fencing greater than 50 feet in length shall have a change in plane, height, material, or material texture, or significant landscape massing.
(e) Planting shall be considered as part of any wall or fence plan.
(f) Walls, hedges, and picket fences in front yards shall be limited to a maximum of 3 1/2 feet in height. Wrought-iron fences may be up to five feet in height. Entrances, gates, and corners should be specifically treated to define their function.
(8) Loading, outdoor storage, and service areas.
(a) Where these areas face adjacent residential uses or public rights-of-way, an earthen berm, no less than six feet in height, containing, at a minimum, evergreen trees planted at intervals of 20 feet on center and seven evergreen shrubs per tree, shall be provided.
(b) No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within 35 feet of any public street or public sidewalk.
(c) Materials, colors, and design of screening walls and/or fences shall conform to those used as predominant materials and colors on the principal building.
(d) Service functions shall be incorporated into the overall design of the building and landscaping, so that they are fully contained and out of view from adjacent properties and rights-of-way.
(e) Truck delivery and circulation routes shall be separated from customer circulation where possible.
(9) Affordable housing shall be provided in accordance with the New Jersey Council on Affordable Housing (COAH) Round 3 Regulations for Nonresidential Development.
H. Architectural standards.
(1) Exterior building design shall be coordinated with regard to color, types of materials, architectural form, and detailing. Multiple buildings on the same site shall be designed to create a cohesive relationship between the buildings. The requirements in the Architectural and Site Design Overlay Zone, as contained in §§ **188-167** to **188-175L** shall apply, except as otherwise provided in the LI District requirements, as indicated herein.
(2) Building orientation should respect climatic conditions by minimizing heat gain and considering the impact of shade on adjacent land uses and areas. Buildings should maximize public comfort by providing shaded public outdoor areas, minimizing glare, and facilitating breezes.
(3) Buildings should be oriented to allow for the use of common driveways, where a reduction in the number of curb openings will enhance the streetscape and promote traffic safety.
(4) Buildings on corner lots and end buildings shall be considered significant structures, because they have at least

two facades exposed to the street. As such, specialized facade treatments and appropriate embellishments, such as corner towers, shall be integrated into the design to mark their prominence. Additionally, pedestrian flow can be emphasized by arcades or chamfered corners.
(5) Focal points or points of visual termination along the corridor shall generally be occupied by more-prominent structures that employ enhanced height, massing, distinct architectural treatments or other distinguishing features.
(6) Backs of buildings may face a parking lot. However, the rear of the building shall be treated to be compatible with the overall design of the building. Access from the front and rear of buildings is encouraged.
(7) Buildings shall avoid long, monotonous, uninterrupted walls and/or roof planes. Individual buildings within the ASD Overlay Zone shall not exceed 100 feet in length along any wall, roof or footprint plane. Building fronts wider than 40 feet as viewed from the public realm shall be modulated to break the facade to give the appearance of several buildings or through the use of building wall offsets, including projections, recesses and changes in cap line, wall height, and floor level. The total measurement of such offsets shall equal a minimum of 10% of the building wall length. The minimum projection or depth of any individual offset shall be not less than four feet.
(8) Roofline offsets, cross-gables and dormers shall be provided along any roofline measuring longer than 75 feet, in order to provide interest and variety to the massing of the building roofline.
(9) Signs. A signage program shall be established as part of the development review and approval process pursuant to the requirements contained in § **188-83K**.
(a) There shall be a consistent sign design theme throughout the development. A unifying design theme shall include style of lettering, method of attachment, construction, material, size, proportion, lighting, position and day/night impacts. Color of letters and background shall be carefully considered in relation to the color of the material of the building(s) or where the signs are proposed to be located. Signs shall be a subordinate rather than predominant feature of any building. The lettering and sign shall be compatible with the architecture of the building.
(b) A comprehensive signage plan shall be provided which covers overall project identification, window signage and lettering, individual building/tenant identification, traffic regulations, pedestrian crossing, street identification, parking and directional instructions. A signage hierarchy shall be established governing the above signage categories.
(c) All permanent signage shall be affixed to a building facade, canopy, arcade or freestanding structure and be visible to both pedestrians and drivers.

Section 3. This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning, and land use regulations. 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 4. If any provisions of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.

Section 5. After introduction, the Township Clerk is hereby directed to provide a copy of the within Ordinance to the Planning Board for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A.40:55D-64. The Planning Board is directed to make and transmit to the Township Committee within 35 days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 6. After introduction, the Township Clerk is hereby directed to provide by personal service or certified and regular mail, at least 10 days prior to the scheduled hearing, a copy of this Ordinance and a Notice of Hearing in accordance with N.J.S.A. 40:55D-62.1 to: (1) the owners of the properties affected by this Ordinance; (2) the owners of all properties within 200 feet of the boundaries of the affected properties; (3) the Office of Planning Advocacy; and (4) any military facility commander who has registered with the municipality.

Section 7. After introduction, the Township Clerk is hereby directed to provide by personal service, certified mail or email with confirmation that the email was delivered, at least 10 days prior to the scheduled hearing, a copy of this Ordinance and a Notice of Hearing in accordance with N.J.S.A. 40:55D-15 to: (1) the clerk of any adjoining municipalities located within 200 feet of the boundaries of the affected properties; and (2) the County Planning

Board.

Section 8. This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Upon a motion by Committeeman Robert Britting, seconded by Committeeman Doug Tomson, to introduce Ordinance 2022-17, the motion was unanimously approved upon the call of the roll. Further Consideration and a Public Hearing will be held on October 11, 2022., the motion was unanimously approved upon the call of the roll.

4. 2022-18 AN ORDINANCE APPROPRIATING CERTAIN MONIES HELD BY THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY, FOR THE PURCHASE OF VARIOUS CAPITAL IMPROVEMENTS IN THE AMOUNT OF $270,000.00 IN AND FOR THE TOWNSHIP OF HILLSBOROUGH. FURTHER CONSIDERATION AND A PUBLIC HEARING WILL BE HELD ON OCTOBER 11, 2022

WHEREAS, there are funds available in the Hillsborough Township Capital Improvement Fund in the amount of $270,000.00; and

WHEREAS, the Hillsborough Township Committee has determined there is a need to appropriate the aforesaid Capital funds for the following purposes and amounts:

1	Remediation & Demolition of Old Municipal Building	$125,000.00
2	Resurfacing/Ramp Removal of AVM Skate Park	$ 45,000.00
3	Resurfacing of AVM Basketball Courts	$100,000.00
		$270,000.00

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the aforementioned sums are hereby appropriated.

This ordinance shall take effect upon final adoption and publication according to law.
Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Robert Britting, to introduce Ordinance 2022-18. Further Consideration and a Public Hearing will be held on October 11, 2022, the motion was unanimously approved upon the call of the roll.

CONSENT

1. RESOLUTION AUTHORIZING RELEASE OF CASH ESCROW IN THE AMOUNT OF $7,000 TO MAAC DEVELOPMENT GROUP

WHEREAS, a cash escrow in the amount of $7,000 was provided by MAAC Development Group to obtain certificates of occupancy for Block 204.04 Lots, 25.01, 25.03, 25.04, 25.05, and 25.09 prior to completion of the landscaping; and

WHEREAS, the Assistant Township Engineer certifies that all work has now been satisfactorily completed and recommends the release of the cash escrow in the amount of $7,000 to MAAC Development Group.

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 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.

Charu James	$110.00
Payal Khatwani	$179.00
Cindy Carlisle	$100.00
Alison Morgan	$30.00
Janeen Mulligan	$4.00
Daniel Lugo	$4.00
Sarah Mangee	$8.00
Evelyn Hanna	$8.00
Jijnes Patel	$8.00
Darlene Spagnola	$8.00
James Guillen-Brown	$8.00
Nandini Mukhopadhyay	$16.00
Mahima Bhagat	$16.0
Marthe Asmah	$20.00
Lindsay Aliano	$20.00
Beth Slutzky	$21.00
Anshu Gandotra	$27.00
Catherine Brown	$30.00
Theresa Gomez	$32.00
Adam Wielgosz	$45.00
Averye Dandeo	$53.00
Michelle Cuevas	$55.00
Danielle Rada	$70.00
Maya Alexandrova	$20.00
Awanish Singh	$110.00
Kerri Celaya	$675.00
Andrew Larsen	$675.00
Kelly Heery	$140.00
Luisa Trani	$140.00
Lynn Page	$140.00
Vidya Ananth	$140.00
Jess Gagliardi	$120.00
Bankim Patel	$120.00

3. RESOLUTION AUTHORIZING AGREEMENT WITH SOMERSET COUNTY FOR

INSTALLATION AND MAINTENANCE OF RAPID FLASHING BEACON SYSTEMS AT AMWELL ROAD/COUNTY ROUTE 514 AND MARSHALL ROAD AND PLEASANT VIEW ROAD

WHEREAS, the County of Somerset and the Township of Hillsborough desire to enter into an Agreement pertaining to the installation and maintenance of Rapid Flashing Beacon Systems at the intersections of Amwell Road/County Route 514 and Marshall Road and Pleasant View Road to improve safety for pedestrians crossing Amwell Road/County Route 514; and

WHEREAS, the Township will design, pay for, install and maintain the Rapid Flashing Beacon Systems in accordance with N.J.S.A. 39:4-120.1 at the approved locations; and

WHEREAS, the County will permit the placement of the Rapid Flashing Beacon Systems and associated equipment at said intersections and within areas of their jurisdiction.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it hereby authorizes the Mayor and Township Clerk to execute an Agreement with the County of Somerset pertaining to the installation and maintenance of Rapid Flashing Beacon Systems at the intersections of Amwell Road/County Route 514 and Marshall Road and Pleasant View Road.

4. RESOLUTION AUTHORIZING MAJOR TAYLOR CYCLING CLUB OF NEW JERSEY TO HOLD THE NEW HOPE BICYCLE RIDE IN THE TOWNSHIP OF HILLSBOROUGH

WHEREAS, Major Taylor Cycling Club of New Jersey requested permission to hold the New Hope Bicycle Ride in Hillsborough on August 14, 2022; and

WHEREAS, the planned route, Certificate of Liability Insurance and Indemnification and Hold Harmless Agreement were provided for this event; and

WHEREAS, the Hillsborough Police Department reviewed the request and the Chief of Police recommended approval of the event.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it hereby ratifies and confirms the permission granted to Major Taylor Cycling Club of New Jersey to hold the Annual New Hope Ride within the Township of Hillsborough on August 14, 2022.

5. RESOLUTION AUTHORIZING JASON'S MEMORIAL 5K RUN TO BE HELD IN THE TOWNSHIP OF HILLSBOROUGH

WHEREAS, Linda Walton requested permission to hold the Jason's Memorial 5K Run on Sunday, August 28, 2022, in the Township of Hillsborough Township; and

WHEREAS, a certificate of insurance naming the Township as an insured was provided for this event; and

WHEREAS, the Chief of Police and Hillsborough Township Police Department's Traffic Safety Bureau determined the planned route provided 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 it hereby ratifies and confirms permission for the Jason's Memorial 5K Run event held within the Township of Hillsborough on August 28, 2022.

6. RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS

WHEREAS, the Tax Collector indicates tax overpayments have been received as indicated below and recommends refunds be issued for such overpayments.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Tax Collector is hereby authorized to refund the amounts set forth below for tax overpayments.

Block	Lot	Qualifier	Name	Amount	Qtr	Year
11	57.01		Raymond & Lori Drake	$2,643.48	3	2022
182	63		Wells Fargo	$3,492.36	3	2022
6	3		Corelogic	$899.29	3	2022
149.01	2		Corelogic	$2,979.00	3	2022
153.08	68	C0277	Corelogic	$868.85	3	2022
153.19	1	C0321	Corelogic	$1,577.55	3	2022
163.04	100	C2404	Corelogic	$1,559.87	3	20222
163.05	1.05	C3009	Corelogic	$1,170.81	3	2022
163.06	3	C2121	Corelogic	$1,663.32	3	2022
163.06	3	C2311	Corelogic	$1,870.02	3	2022
16.22	5	C3724	Corelogic	$1,858.47	3	2022
167	6.01		Corelogic	$3,788.86	3	2022
177.13	16		Corelogic	$3,455.02	3	2022
183	38.01		Corelogic	$31,974.60	3	2022
183	38.01	Cell	Corelogic	$1,597.93	3	2022
183.01	1		Corelogic	$10,364.95	3	2022
205.20	4		Corelogic	$3,869.40	3	2022
207.01	128		Corelogic	$3,298.33	3	2022
163.21	6	C1111	Corelogic	$1,843.57	3	2022
145.05	20		Richard Sapala	$85.68	3	2022

7. RESOLUTION AUTHORIZING EXECUTION OF FACILITIES USE AGREEMENT BETWEEN THE TOWNSHIP OF HILLSBOROUGH AND BOARD OF EDUCATION OF THE TOWNSHIP OF HILLSBOROUGH

WHEREAS, the Township of Hillsborough ("Township") and Board of Education of the Township of Hillsborough ("BOE") serve the residents of Hillsborough Township and their respective operations are financed by the residents; and

WHEREAS, Township and BOE own and maintain facilities within Hillsborough Township for the benefit of the residents; and

WHEREAS, Township and BOE share a mutual need to use the facilities owned and maintained by the other; and

WHEREAS, BOE leases office space at the Hillsborough Municipal Complex for BOE operations; and

WHEREAS, BOE also uses Township facilities for school related activities; and

WHEREAS, Township uses BOE facilities for Township sponsored athletic activities, events and summer camp programs; and

WHEREAS, Township and BOE wish to enter into an agreement, under the authority of the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., pertaining to the use of their respective facilities by each other.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Mayor and Township Clerk are hereby authorized to execute a Facilities Use Agreement with the Board of Education of the Township of Hillsborough for use of their respective facilities by each other.

8. 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 have 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
Gateway Phase 6	Gateway6in	$839.12
Green Village	Greenvilin	$91.02
Hillsborough Crossings	Hilcrossing	$870.61
MAAC 18-PB-12	MAACDev2in	$545.35
PSE&G 2020 Gas project	PSEG2020in	$1,552.30
Pilgrim River 2021	Pilgrimin	$162.55
Ramaswamy	Ramaswamin	$1,144.66
Rd Opening 2022-09	Sunplacein	$245.22
Sherman Tract	Shermanin	$83.91
Village Point (3Ronson)	Villagptin	$936.41
Wiseman	Wisemanin	$209.70
	Grand Total	**-$6,680.85**

9. RESOLUTION AUTHORIZING RELEASE OF CASH ESCROW TO PRIMROSE SCHOOL FOR ROAD OPENING PERMIT NO. 2021-09

WHEREAS, a Cash Escrow in the amount of $4,460.00 was provided by Primrose School for road Opening Permit No. 2021-09; and

WHEREAS, the Assistant Township Engineer certifies all work has been satisfactorily completed and recommends the Township Committee authorize the release of the Cash Escrow in the amount of $4,460.00 to Primrose School for Road Opening Permit No. 2021-09.

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.

10. RESOLUTION AUTHORIZING PENNONI ASSOCIATES TO PROVIDE WEIGHT AND SPEED STUDY FOR WILLOW ROAD

WHEREAS, on January 5, 2022, as a result of the Fair and Open Selection Process, N.J.S.A. 19:44A-20.4-5 et seq., Pennoni Associates was awarded a professional services contract designating them as the Township of Hillsborough Engineer; and

WHEREAS, there is now a necessity for professional engineering services, namely to provide weight and speed studies for Willow Road, as described in the proposal from Pennoni Associates, dated August 24, 2022, in an amount not to exceed $5,750.00; and

WHEREAS, funding for these services will be paid through account 2-01-20-715-028, 2022 Engineering Services Account.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that (1) Pennoni Associates is authorized to provide weight and speed studies for Willow Road, as described in a proposal dated August 24, 2022, in an amount not to exceed $5,750.00 (2) this Contract is awarded, as a result of the Fair and Open Selection Process as "Professional Services" in accordance with N.J.S.A. 40A:11-5(1)a of the Local Public Contracts Law and the New Jersey Local Unit Pay to Play Law (N.J.S.A. 19:44A-20.4-5 et seq.) because these services will be performed by persons authorized by law to practice a recognized profession, whose practice is regulated by law, the performance of which service requires knowledge of an advance type in a field of learning acquired by a prolonged formal course of specialized instructions as distinguished from general academic instruction or apprenticeship and training.

11. RESOLUTION AWARDING CONTRACT TO DESANTIS CONSTRUCTION FOR AMSTERDAM DRIVE PHASE II RESURFACING PROJECT

WHEREAS, the Township solicited bids through the fair and open procurement process for the Amsterdam Drive - Phase II Resurfacing Project; and

WHEREAS, the Township received seven (7) bids with the lowest bid from DeSantis Construction located in Somerset, New Jersey; and

WHEREAS, the specifications provide that the award of the contract shall be made to the lowest responsible bidder; and

WHEREAS, the Assistant Township Engineer and Qualified Purchasing Agent recommend the Township Committee award a contract to DeSantis Construction in an amount not to exceed $632,002.87 for the Amsterdam Drive - Phase II Resurfacing Project; and

WHEREAS, the Chief Financial Officer certifies there are sufficient funds in Grant Account #G-02-40-515-352 in the amount of $476,801.00 and Capital Account #C-04-55-814-900 in the amount of $155,201.87 for this project.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that: (1) a contract is hereby awarded to DeSantis Construction in an amount not to exceed $632,002.87 for the Amsterdam Drive - Phase II Resurfacing Project; (2) the Mayor and Township Clerk are authorized to execute a contract with DeSantis Construction in accordance with the terms of this Resolution, the Bid Specifications and Bid Proposal Submitted; and (3) a notice of this action shall be printed in the official Township newspaper.

12. RESOLUTION OF SUPPORT FROM HILLSBOROUGH TOWNSHIP COMMITTEE AUTHORIZING THE SUSTAINABLE JERSEY MUNICIPAL WATER STORY TECHNICAL

ASSISTANCE APPLICATION

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, Hillsborough Township strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Hillsborough Township is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and recognizing municipalities are interested in guidance on water issues created a Municipal Water Story action to assist municipalities define and prioritize their local water challenges; and

WHEREAS, each municipality in New Jersey has its own individual water story which is shaped by its geography, services and local concerns. Key to finding solutions for water improvement is understanding the particular water situation in the community. The Municipal Water Story action is one of the two mandatory actions required to attain the Gold Star Standard in Water.

THEREFORE, the Township Committee of Hillsborough Township has determined that Hillsborough Township should apply for the aforementioned Municipal Water Story Technical Assistance program.

THEREFORE, Hillsborough Township will commit to providing staff support for the duration of the Municipal Water Story Technical Assistance project, including providing public events and opportunities to share and receive comment on the project including a presentation to the governing body.

THEREFORE, BE IT RESOLVED, that Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, authorize the submission of the aforementioned application to Sustainable Jersey for Municipal Water Story Technical Assistance.

13. RESOLUTION AUTHORIZING THE TRANSFER OF WILMAR DOS SANTOS FROM THE POSITION OF DPW WORKER 3 TO PARKS WORKER 3

WHEREAS, there exists a vacancy in the position of Parks Worker 3; and

WHEREAS, the Director of Parks, Recreation and Social Services recommends the transfer of Wilmar Dos Santos from DPW Worker 3 to Parks Worker 3 at no change in salary, effective on September 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 Parks, Recreation and Social Services is hereby be accepted and approved.

14. RESOLUTION APPOINTING OMUR SILIT TO THE VACANT POSITION OF ALTERNATE NUMBER 2 ON THE HILLSBOROUGH TOWNSHIP BOARD OF HEALTH FOR THE UNEXPIRED TERM ENDING DECEMBER 31, 2023

WHEREAS, there exists a vacancy on the Hillsborough Township Board of Health

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it hereby makes the following appointment:

Name	Seat	Term
Omur Silit	Alt #2	12/31/2023 (Unexpired term)

15. RESOLUTION AUTHORIZING CROP HUNGER WALK EVENT IN THE TOWNSHIP OF HILLSBOROUGH

WHEREAS, Christopher Heitkamp requested permission to hold the CROP Hunger Walk event in Hillsborough Township on October 16, 2022; and

WHEREAS, the planned route, Certificate of Liability Insurance and Indemnification and Hold Harmless Agreement have been provided for this event; and

WHEREAS, the Hillsborough Police Department has reviewed the request and the Chief of Police recommends approval of the event.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Christopher Heitkamp is granted permission to hold the CROP Hunger Walk event in Hillsborough Township on October 16, 2022.

16. RESOLUTION AUTHORIZING ADJUSTMENTS IN THE NOT TO EXCEED AMOUNT FOR VARIOUS PROFESSIONAL SERVICES CONTRACTS FOR THE YEAR 2022

WHEREAS, on January 5, 2022, as a result of the fair and open procurement process, N.J.S.A. 19:44A-20.4-5 et seq., a contract for "Professional Services" was awarded to DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., as Township Attorney, in an amount not to exceed $50,000.00 for the year 2022; and

WHEREAS, there is now the necessity for authorization to increase this amount by an additional $30,000.00 for legal services provided by the Township Attorney for 2022; and

WHEREAS, funds are available and have been certified as such by the Chief Finance Officer through account 2-01-20-712-027 which will fund this service; and

WHEREAS, on January 5, 2022, as a result of the fair and open procurement process, N.J.S.A. 19:44A-20.4-5 et seq., a contract for "Professional Services" was awarded to DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., as Township Labor Attorney, in an amount not to exceed $50,000.00 for the year 2022; and

WHEREAS, there is now the necessity for authorization to increase this amount by an additional $20,000.00 for legal services provided by the Township Labor Attorney for 2022; and

WHEREAS, funds are available and have been certified as such by the Chief Finance Officer through account 2-01-20-712-108 which will fund this service.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., is authorized to perform professional services as Township Attorney through December 31, 2022, in an additional amount not to exceed $30,000.00 and that DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., is authorized to

perform professional services as Township Labor Attorney through December 31, 2022, in an additional amount not to exceed $20,000.00.

17. RESOLUTION AUTHORIZING THE QUALIFIED PURCHASING AGENT TO SOLICIT BIDS FOR THE REMEDIATION AND DEMOLITION OF THE OLD MUNICIPAL BUILDING

WHEREAS, the Old Municipal Building located on East Mountain Road needs to be remediated and demolished; and

WHEREAS, the Township's Qualified Purchasing Agent requests authorization to solicit bids for: (1) remediation services; and (2) demolition services.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Township Qualified Purchasing Agent is hereby authorized to advertise and solicit bids for: (1) remediation services; and (2) demolition services of the Old Municpal Building located on East Mountain Road.

18. RESOLUTION AWARDING CONTRACT FOR THE ACQUISITION OF ONE (1) LARGE TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township publicly advertised for sealed bids for "The Acquisition of One (1) New or Used 2020 or Newer 10-Wheel Dump Truck with Blackbelt Maxx Body or Equivalent"; and

WHEREAS, sealed bids were opened and read on September 7, 2022 at 10:00 a.m. which was the time and place provided for in the Notice to Bidders; and

WHEREAS, the Township received one (1) bid in response to the public advertisement from McMahon Truck Centers; and

WHEREAS, the Director of Public Works, the Supervisor of Public Works and the Township's Qualified Purchasing Agent recommend the award of a contract to McMahon Truck Centers in a total amount not to exceed $231,150.00 in accordance with the bid specifications and bid submitted; and

WHEREAS, funds are available and have been certified as such by the Chief Finance Officer through account #C-04-55-214-570 for $231,150.00.

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 McMahon Truck Centers in an amount not to exceed $231,150.00 for the purchase of a 2020 Mack GR64F 10-Wheel Dump Truck.

19. RESOLUTION AUTHORIZING THE PURCHASE OF CATCH BASIN FRAMES

WHEREAS, the Director of Public Works has determined there is a need for catch basin frames for the storm drains; and

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

WHEREAS, three (3) quotes were received as follows:

Campbell Foundry	$7,360.00
General foundries Inc.	$8,518.20
Kennedy Culvert & Supply	$8,210.00

WHEREAS, the Director of Public Works and Qualified Purchasing Agent recommend the purchase be made from Campbell Foundry in an amount not to exceed $7,360.00; and

WHEREAS, the Chief Financial Officer certifies there are sufficient funds in account #2-01-26-765-049 for this purchase.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it authorizes the purchase of catch basin frames from Campbell Foundry in an amount not to exceed $7,360.00.

20. RESOLUTION AUTHORIZING THE PURCHASE OF AN AERA-VATOR FOR THE PARKS DEPARTMENT

WHEREAS, the Director of Parks has requested authorization to purchase an Aera-Vator for use in the parks; and

WHEREAS, the equipment is available from Storr Tractor Company through the ESCNJ Coop Contract #18/19-25 at a cost not to exceed $13,896.15; and

WHEREAS, the Township is a member of the ESCNJ Cooperative and as such is eligible to obtain this equipment through contracts awarded by them; and

WHEREAS, funds are available and have been certified as such by the Chief Finance Officer through account #2-01-28-796-058 in an amount not to exceed $13,896.15.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it hereby authorizes and approves the purchase of an Aera-Vator from Storr Tractor Company through ESCNJ Coop Contract #18/19-25 in an amount not to exceed $13,896.15.

21. RESOLUTION AUTHORIZING THE PURCHASE OF A 2022 FORD EXPLORER THROUGH THE MORRIS COUNTY COOPERATIVE

WHEREAS, the Health Officer has requested authorization to purchase a 2022 Ford Explorer; and

WHEREAS, the 2022 Ford Explorer is available for purchase from Route 23 Ford Automall through the Morris County Cooperative Contract #MC15E1-15C in an amount not to exceed $30,555.00; and

WHEREAS, the Township is a member of the Morris County Cooperative and as such is eligible to purchase through contracts awarded by them; and

WHEREAS, funds are available and have been certified as such by the Chief Finance Officer through Account #G-02-40-650-000.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it hereby authorizes and approves the purchase of a 2022 Ford Explorer from Route 23 Ford Automall in an amount not to exceed $30,555.00 through the Morris County Cooperative Contract #MC-15E1-15C.

22. RESOLUTION AUTHORIZING THE HIRING OF TYLER GRONAU TO THE POSITION OF PART-TIME PROPERTY MAINTENANCE/CODE ENFORCEMENT OFFICER

WHEREAS, there exists a vacancy in the position of Property Maintenance/Code Enforcement Officer; and

WHEREAS, the Director of Environmental Programs, Township Planner, Deputy Zoning Official and Township

Administrator recommend the hiring of Tyler Gronau for the position of Part Time Property Maintenance/Code Enforcement Officer,not to exceed 116 hours per month, at an hourly rate of $28 per hour, effective September 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 Township Planner, Deputy Zoning Official and Township Administrator is hereby accepted and approved.

23. A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN ESTOPPEL CERTIFICATE AND AMENDMENT WITH CONCORD STREET URBAN RENEWAL ASSOCIATES, L.P.

WHEREAS, the Township of Hillsborough (the "Township") appointed Concord Street Urban Renewal Associates, L.P., as the Redeveloper (the "Redeveloper") of certain real property designated as Block 86, Lot 21.01, on the official tax map of the Township (the "Property"), pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and,

WHEREAS, the Township and Redeveloper have entered into a Redevelopment Agreement, dated June 27, 2019 (the "Redevelopment Agreement"), with respect to the redevelopment of the Property with an affordable housing project consisting of eighty-seven (87) affordable housing units and one (1) market rate unit to be occupied by the on-site property manager and certain amenities (the "Project"); and,

WHEREAS, the Township and the Redeveloper have also entered into a Financial Agreement, dated August 20, 2019, providing for a long-term tax exemption for the Project (the "Financial Agreement"); and,

WHEREAS, the Redeveloper's lenders with respect to the Project have requested that the Township and the Redeveloper execute an Estoppel Agreement and Amendment, a copy of which is annexed hereto and incorporated herein, regarding certain representations and covenants with respect the Redevelopment Agreement and the Project.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Mayor and Township Clerk are hereby authorized to execute the Estoppel Agreement and Amendment, a copy of which is annexed hereto and incorporated herein as Exhibit "A".

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

24. RESOLUTION GRANTING PERMANENT EMPLOYEE STATUS TO RICHARD NIELIWOCKI IN THE HILLSBOROUGH TOWNSHIP BUILDING DEPARTMENT

WHEREAS, Richard Nieliwocki was hired as a Building Inspector in the Building Department on May 26, 2022; and

WHEREAS, the Construction Official certifies that Mr. Nieliwocki 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 permanent employee status be conferred upon Mr. Nieliwocki, effective September 16, 2022, 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.

25. RESOLUTION AUTHORIZING A CONTRACT FOR THE INSTALLATION OF A DUCTLESS SPLIT SYSTEM IN THE COMPUTER ROOM

WHEREAS, the Director of Information Services has determined there is a need for the installation of a ductless split system in the computer room to regulate air temperature; and

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

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

Binsky & Snyder LLC	$19,000.00
Thermal Service of NJ Inc.	$23,500.00

WHEREAS, the Director of Information Services and Qualified Purchasing Agent recommend a contract be awarded to Binsky & Snyder, LLC, in an amount not to exceed $19,000.00 for installation of a ductless split system in the computer room; and

WHEREAS, the Chief Financial Officer certifies there are sufficient funds in account #2-01-26-772-079 for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it authorizes a contract with Binsky & Snyder, LLC, in an amount not to exceed $19,000.00 for the installation of a ductless split system in the computer room.

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

Township Administrator Ferrera welcomed the new employee and congratulated the movement of an employee within the Township to a new position.

Maria Janucik, 720 E. Frech Ave, Manville asked questions about the estoppel certificate and the increase in attorney's fees. Township Attorney Willard provided explanations for both.

Niyati Shah, 3 Deer Run Road asked what will be included in the volume assessment of Willow Road. Mayor Lipani responded that the Police Department will do a comprehensive study.

Meryl Bisberg, 4 Hickory Hill Road asked what prompted the volume study and inquired about the origin of ordinance 2022-16. Mayor Lipani stated the residents of Willow Road requested it. Township Attorney Willard stated Ordinance 2022-16 is a redrafting of Ordinance 2022-10 which was tabled.

Susan Gulliford, Hunt Club Road asked about the volume study and inquired whether the cupola or any stones will be saved from the old municipal building before it is destroyed.
Mayor Lipani advised the study will assess what the road is capable of handling in its present state. Township Administrator Ferrera explained that he is working with the Director of Public Works on several ideas to save portions of the old municipal building.

CLAIMS LIST

1. 2022-14

Mayor Lipani asked to approve Claims List 2022-14.

Upon a motion by Committeeman Robert Britting, seconded by Committeeman Doug Tomson, Claims List 2022-14, was approved upon the call of the roll.

Maria Janucik, 720 E. Frech Ave questioned the payment of the employees hired through the grant. Township Clerk Borek explained the payment process.

EXECUTIVE SESSION

None

ADJOURNMENT

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Robert Britting, the meeting duly adjourned at 9:20 pm. Said motion was unanimously carried upon voice vote.

Attested:

Pamela Borek

Pamela Borek
Township Clerk