

Minutes of the March 28, 2023 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 March 28, 2023.

CALL OF THE ROLL

Upon call of the roll, the following Committee members were recorded present: Mayor Shawn Lipani, Deputy Mayor Robert Britting, Jr., Committeeman John Ciccarelli, Committeeman James Ruh, Jr. Also in attendance were Township Administrator Anthony Ferrera, Township Deputy Clerk Sarah Brake and Township Attorney William Willard. Committeeman Tomson was absent.

SALUTE TO THE FLAG

MAYOR STATES

Mayor Lipani advised that in accordance with 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, March 28, 2023. Committeeman Tomson was absent.

Mayor Lipani stated: Before we continue with the business of our meeting, we will pause for a moment of silence in solemn remembrance of the six souls lost yesterday in the tragedy at the Covenant School in Nashville, TN. Our prayers are with those parents, students and the entire community.

APPROVAL OF MINUTES

1. REGULAR MEETING MINUTES OF FEBRUARY 14, 2023

Upon a motion by Committeeman John Ciccarelli, seconded by Committeeman Jim Ruh, the Regular Meeting Minutes of February 14, 2023 were approved upon the call of the roll.

2. REGULAR MEETING MINUTES OF FEBRUARY 28, 2023

Upon a motion by Deputy Mayor Robert Britting, seconded by Committeeman Jim Ruh, the Regular Meeting Minutes of February 28, 2023 were approved upon the call of the roll.

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

Committeeman Ciccarelli

Committeeman Ciccarelli stated that residents must verify with the Building Department that there are no open permits when selling their home. In addition, a smoke certification inspection must be scheduled with the Fire Safety office. He noted that the Building Department does not issue a Certificate of Occupancy for the resale of a residential property without resolving these above items.

Committeeman Ciccarelli advised residents that Hillsborough Township has a Tree Preservation code.

Committeeman Ciccarelli reminded seniors 65 and older to sign up for the curbside bulk pickup starting April 3rd in the northwest section of town. Committeeman Ciccarelli informed residents of the Township's policy for yard sales.

Committeeman Ciccarelli shared he attended the Hillsborough Township Social Services Department free community financial literacy workshop organized by Magnate Cares.

Committeeman Ruh

Committeeman Ruh shared that the Hillsborough Business Association's 2023 Spring Social was a great success, thanked all who attended and stated that the next HBA social would be held in June.

Committeeman Ruh stated that the Parks and Recreation Department is looking to fill several positions for summer sports and camp.

Committeeman Ruh reported that registration for Summer Camp 2022 is going strong and noted that an Early Riser option has been added this year.

Committeeman Ruh announced that the Tot Sports Program has been added for this Spring by the Parks and Recreation Department.

Committeeman Ruh reported that the Health Department will offer Blood Pressure Checks and the Most Recent Bivalent Covid Booster before the Senior Club A and B meetings on Thursday, April 6th from 11:00 am to 1:00 pm, and on Thursday, April 13th.

Committeeman Ruh shared that April is National Volunteer month. He stated that volunteers are a critical part of the Hillsborough Community Assistance Network (C.A.N.) food pantry and encouraged all residents to volunteer their time.

Committeeman Ruh shared that he attended the fish fry at the Woods Road firehouse.

Deputy Mayor Britting

Deputy Mayor Britting informed residents that the next tax payment is due on May 1st.

Deputy Mayor Britting reminded residents not to drive around barricades on roadways.

Deputy Mayor Britting announced the opportunity for those wishing to become a Police Officer that Hillsborough Police Department is one of seven departments in Somerset County that participates in the Scholarship Program.

Deputy Mayor Britting shared that he, along with Committeeman Ruh and Mayor Lipani, have recorded several podcasts and encouraged residents to check out the Hillsborough Podcasts on Spotify and iTunes.

Deputy Mayor Britting announced The Wyland National Mayor's Challenge for Water Conservation will start on April 1st.

Deputy Mayor Britting shared that there are a few spots left for the Night of Conversation, which takes place on March 30, 2023 from 6 to 8 pm.

Deputy Mayor Britting stated that Puppy yoga is coming back to the Municipal Building on April 27th.

Mayor Lipani

Mayor Lipani announced that Hillsborough has been designated a Healthy Town by the Mayor's Wellness Campaign. He stated that Hillsborough is honored and excited to be recognized as a 2022 Healthy Town, which is a Gold Level Designation.

Mayor Lipani shared that Hillsborough Township has again been recognized as one of the best places to live and raise a family since it was first honored in 2007 by Niche.com.

Mayor Lipani stated that he is honored to announce that Hillsborough Township Police Officer Rick Tichenor will be

the 2023 Grand Marshal. He encouraged residents to save the date for the Annual Salute to Military Service Breakfast, Memorial Day Parade and Garden of Honor Ceremony to be held on Saturday, May 27th.

Mayor Lipani stated that the flags at half-staff at the Township last week were in honor of Senator Ronald Rice, a dedicated public servant who was the longest-serving Black legislator in New Jersey history.

Mayor Lipani offered condolences to Senator Rice's family and friends.

Mayor Lipani announced that the annual Hillsborough Hop will take place on Saturday, June 3rd.

Mayor Lipani noted that the newest addition to the Wall of Fame, the portrait of Chief Dowches painted by a township resident, has been hung, commemorating him as the first Police Officer of Hillsborough.

PROCLAMATIONS / APPOINTMENTS

1. NATIONAL DONATE LIFE MONTH 2023

WHEREAS, realizing the urgent need for donors around the country, the National Donate Life Month observance was established in 2003 to promote a greater understanding of the life-saving benefits of donation. Established in 2012, National Donate Life Blue and Green Day represents a national effort to support and raise awareness for organ and tissue donation and transplantation; and

WHEREAS, the New Jersey Organ and Tissue Sharing Network (NJ Sharing Network) is committed to addressing that need through enhanced awareness; and

WHEREAS, the transplantation of organs and tissues is a miracle of modern medicine made possible through the compassion of organ and tissue donors, enabling surgeons to save thousands of lives every year. Donors not only give the gift of life, but also often restore health and sight to the recipients of the tissue and organs; and

WHEREAS, people of all ages, ethnic backgrounds and religions are affected by the need for organ transplants. There are nearly 4,000 New Jersey residents and over 100,000 Americans awaiting life-saving and life-enhancing transplant operations; and

WHEREAS, every capable person should support this vital effort by learning more about donating tissue and organs, registering as organ and tissue donors, making their families aware of their wishes, and be willing to give the precious gift of health, sight, and life to people in need. Registering as an organ and tissue donor at a local motor vehicle commission or online at www.NJSharingNetwork.org signifies our fundamental human responsibility to help others.

NOW, THEREFORE, BE IT PROCLAIMED, that we, the Mayor and the Hillsborough Township Committee, do hereby recognize National Donate Life Month and National Blue and Green Day on April 14, 2023, as a great opportunity to join in the fight to save lives by giving the greatest gift.

BE IT FURTHER PROCLAIMED, that we, the Mayor and the Hillsborough Township Committee, urge all residents to join in promoting organ and tissue donor education through the National Donate Life Month observance.

2. LOCAL GOVERNMENT WEEK 2023

WHEREAS, local government is the government closest to most citizens and the one that most directly impacts its residents on a daily basis. It is essential that residents understand how their local government operates, the services it provides, and the importance of active involvement; and

WHEREAS, NJ Local Government Week, sponsored by the New Jersey State League of Municipalities, is a weeklong celebration to raise awareness about the importance of municipal government and its daily impact on

residents; and

WHEREAS, Hillsborough has over 200 employees who are directly responsible for keeping our town growing in a fiscally responsible direction, providing excellent public safety resources, offering recreation opportunities for residents of all ages, maintaining town infrastructure, and practicing responsible sustainable efforts; and

WHEREAS, Hillsborough Township employees are dedicated to providing exceptional customer service to residents, businesses, and visitors; and

WHEREAS, Local government shapes quality of life in more direct ways than state and federal government, and the quality of life in Hillsborough continues to be very high because of the township's great personnel.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Hillsborough Township Committee, hereby join the New Jersey State League of Municipalities and do hereby proclaim April 16-22, 2023 as NJ Local Government Week.

3. RED CROSS MONTH 2023

WHEREAS, the American Red Cross has touched many lives in Hillsborough as well as across the country and around the world; and

WHEREAS, American Red Cross Month is a special time to recognize our everyday heroes, and thank those who contribute to the mission of the Red Cross, whether through time, money or blood donation, and we invite others to support the Red Cross in helping people in need down the street, across the country, and around the world; and

WHEREAS, the American Red Cross provides 24-hour support to members of the military, veterans and their families, training in CPR, aquatics safety, first aid to millions, and collects about 40 percent of the nation's blood supply; and

WHEREAS, in Hillsborough, the Red Cross works tirelessly through its employees and many volunteers to support the Township when disaster strikes, when someone needs life-saving blood, or to give comfort in the form of a helping hand.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, in conjunction with the President of the United States of America, do hereby declare March as American Red Cross Month.

BE IT FURTHER PROCLAIMED, that we, the Mayor and the Hillsborough Township Committee, encourage all Americans to support this organization and its noble humanitarian mission.

4. MELANIE CELLA - SUNNYMEAD ELEMENTARY SCHOOL'S GOVERNOR'S EDUCATOR OF THE YEAR

WHEREAS, Melanie Cella, a special education teacher, has the honor of being named Sunnymeade Elementary School's Governor's Educator of the Year for the 2022-2023 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Melanie Cella has been a member of the Hillsborough School District faculty for five years; and

WHEREAS, Melanie Cella has served as the Co-President of Sunnymeade Elementary's Benevolent Fund and as the Co-Runner of the F.I.T. Girls program; and

WHEREAS, Sunnymeade Elementary School is proud to name Melanie Cella as their Teacher of the Year.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, further commend Melanie Cella for being recognized as Sunnymeade Elementary School's Teacher of the Year and we thank her for all her work and dedication to Hillsborough's youth.

5. STEPHANIE MOORE - HILLSBOROUGH ELEMENTARY SCHOOL'S GOVERNOR'S EDUCATOR OF THE YEAR

WHEREAS, Stephanie Moore, a fourth-grade teacher, has the honor of being named Hillsborough Elementary School's Governor's Educator of the Year for the 2022-2023 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Stephanie Moore has been a member of the Hillsborough School District faculty for 23 years; and

WHEREAS, Stephanie Moore has taught TP, third, and fourth grade. She has volunteered on committees at the YMCA and school activities including PICTO, book fair, concerts, and Home and School meetings; and

WHEREAS, Hillsborough Elementary School is proud to name Stephanie More as their Teacher of the Year.

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

PRESENTATIONS

1. M&M REALTY CONCEPT PLAN PRESENTATION

M&M counsel Doug Wolfson and M&M Ron Allenbach presented. Ron Allenbach presented the new concept plan which was revised for clarity purposes, refined dimensions, added a zoning table, additional street names and redefined amenity space.

Hillsborough Township Planner, David Kois, stated that in reviewing the new plans and looking at the bulk requirements it does comply. Primary access is on Camplain Road. He would like to switch the main access to an existing paper street to avoid encroaching the stream corridor. The concept plan is completely contingent upon DEP approval and compliance with a Township Code of crossing the stream corridor. This must be fully addressed and resolved before approval of the concept plan and before the site plan application is filed with the Planning Board. The developer should submit at the time of site plan application the following: state statute NJAC 5:10-11.1 related to providing an on-site superintendent, fire/garbage turning radiuses, Will serve letters for water and sewer, details of off track improvements and infrastructure improvements, environmental constraints and tree preservation details demonstrating compliance with Green Space Conservation of the redevelopment plan.

Eric Bernstein stated these are recommendations for approval of the concept plan. If the redeveloper cannot meet conditions of the concept plan prior to submission of the site plan then they should come back to the Township Committee for concept plan reapproval. This is an Affordable Housing project and it needs to get cleaned up before going to Planning Board review.

Mayor Lipani stated he agreed with David Kois and Eric Bernstein. He stated the plan is ok and clearly the access point is the issue. An LOI and permits to allow the stream corridor crossing are needed.

Doug Wolfson responded that it is not how this works and that Mayor Lipani knows this. He argued the site plan application can go forward and be conditioned on the DEP approval. He will not do it the way the Township Committee is suggesting and that it violates the redevelopment agreement. Mr. Wolfson stated that they are not violating the stream corridor and it is a lengthy process with the DEP. The DEP has informally indicated that they will

approve the stream corridor crossing. He stated that Hillsborough TC has asked for more detail on a concept plan than anyone else. If the Township delays this then they are delaying the entire Affordable Housing project. The Developer cannot apply to the DEP until the site plan application is submitted.

David Kois stated that the plan is consistent but is asking the Township Committee for real consideration of items in the redevelopment plan such as: emphasis on preserving natural features and improvements to paper streets be the responsibility of the developer. He sees an opportunity to avoid having to cross the stream corridor.

Eric Bernstein stated that if the redeveloper is unhappy with the approval or non approval of the concept plan he can go to the special court master and not the court. Ultimately a failure to build Affordable Housing rests with the Township Committee. If the DEP turns this down, the project won't get built and the special master on July 1st 2025 will ask why haven't the 88 units been built. The applicant doesn't want to look at other options to avoid the stream corridor. The process at issue is with the DEP.

Doug Wolfson stated they don't have to provide paper streets per the redevelopment plan and to do so would be an extraordinary expense. He argued that this is a compliant plan and if they can't get to the site plan phase they can't go to the DEP. He is confident that the DEP will approve.

Eric Bernstein cited 5.3.1 of the Sherman redevelopment plan which states the TC may address site and building design elements of the project and make recommendations for improvements of the proposed development. The applicant is bound by any prior approvals given by the board, and the applicant can't go ahead with market rate housing before the concept plan is approved, site plan application is approved and the board has passed an affordable housing memorialization resolution. All this has nothing to do with what is before the Township Committee tonight. Mr. Bernstein stated he is not recommending that the committee turn down the concept plan. He is asking that the stream corridor crossing get approved by the DEP prior to going to the Planning Board.

Doug Wolfson stated that's not how it goes: filing for a DEP application first. He contended the TC never makes an applicant go to the DEP first and he will go to the special master on this issue.

Eric Bernstein said another option, proposed by Bill Willard is to approve the concept plan with access by one of the paper streets (no DEP approval needed) and if they don't get stream corridor approval, then commit to a paper street right now.

Eric Bernstein clarified that the motion would be to approve the concept plan with the requirement that the applicants seek DEP approval prior to site plan review for purposes of this concept plan or, in the alternative, commit to using one of the existing paper streets as designated by the Township Committee for access to this development and not the stream corridor (if denied by the DEP).

Doug Wolfson stated he would not agree to commit to any particular street but agreed access is necessary.

Maria Janucik, 720 E. Frech Avenue, Manville, stressed the importance of the Stream Corridor Ordinance discussion and then asked if a Letter of Interpretation had been shown. She questioned why information was not given to property owners. Ms. Janucik requested a copy of the Stream Corridor Ordinance and inquired about paper streets in case the Stream Corridor Ordinance does not get approved.

Mayor Lipani stated that this is a concept plan and that this has not gone to the Planning Board yet. He further commented that the DEP would make the final determination as to what can be built.

CONSENT

1. RESOLUTION AUTHORIZING THE HIRING OF ALICIA NOON TO THE POSITION OF ACTING TREASURER FOR THE TOWNSHIP OF HILLSBOROUGH

WHEREAS, there will exist a need for a Chief Financial Officer for the Township of Hillsborough upon the retirement of the current Chief Financial Officer; and

WHEREAS, the Township Administrator recommends the hiring of Alicia Noon as Acting Treasurer effective April 3, 2023 at an annual salary of \$115,000.00; and

WHEREAS, upon satisfactory completion of required courses and successfully achieving a New Jersey Certified Municipal Finance Officer license within two years, Alicia Noon would then be eligible to be named as Chief Financial Officer for the Township of Hillsborough.

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

2. RESOLUTION AUTHORIZING THE HIRING OF RICHARD GRANATIR TO THE POSITION OF TECHNOLOGY (IT) DIRECTOR FOR THE TOWNSHIP OF HILLSBOROUGH

WHEREAS, there exists a need for a Technology (IT) Director for the Township of Hillsborough; and

WHEREAS, the Township Administrator recommends the hiring of Richard Granatir as Technology (IT) Director, effective April 10, 2023, at the rate of \$105,000 per year.

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

3. RESOLUTION AUTHORIZING THE HIRING OF JONATHAN UZARSKI AS PART TIME PLUMBING INSPECTOR

WHEREAS, there exists a vacancy in the position of Part Time Plumbing Inspector in the Township's Building Department; and

WHEREAS, the Construction Official recommends the hiring of Jonathan Uzarski as Part Time Plumbing Inspector, effective March 29, 2023, at a rate of \$33 per hour, not to exceed 116 hours per month.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the personnel recommendation of the Construction Official is hereby approved.

4. RESOLUTION AUTHORIZING THE HIRING OF RICHARD GRANJA IN THE POSITION OF DPW WORKER I IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a need for DPW Worker I in the Department of Public Works; and

WHEREAS, the Director of Public Works recommends the hiring of Richard Granja to the position of DPW Worker I in the Department of Public Works at an annual salary of \$37,234, effective April 3, 2023, pending positive completion of background check.

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

5. RESOLUTION AUTHORIZING THE HIRING OF GARY KRAUSE FOR THE POSITION OF

MECHANIC I IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a need for a Mechanic I in the Department of Public Works; and

WHEREAS, the Director of Public Works recommends the hiring of Gary Krause to the position of Mechanic I in the Department of Public Works at an annual salary of \$64,834, effective May 2, 2023, pending positive completion of a background check.

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

6. RESOLUTION AUTHORIZING STIPEND PAYMENT TO FRANK MATTEI

WHEREAS, the Township Administrator recommends a stipend payment in the amount of \$5,000.00 be paid to Frank Mattei for additional work performed and added responsibilities assumed as a result of staff shortages since November 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 Administrator is hereby accepted and approved.

7. 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
51	4	C0424	Bug Docs Inc	\$911.63	1	2023

8. 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.

Payal Khatwani	\$140.00
Harprity Kaur	\$120.00
Erica Applegate	\$20.00
Sergi Steph	\$150.00
Robert Hofmann	\$45.00

9. 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 7	Gateway7in	\$398.62
Green Village	Greenvilin	\$471.98
Hillsborough 206 Holdings	Hills206in	\$1,469.76
Hillsborough Business Campus	Hillsbusin	\$115.40
MAAC 18-PB-12	MAACDev2in	\$220.25
Princeton Orthopediacs	Princetoin	\$491.52
Sky manor properties	Skymanorin	\$975.30
	Grand Total	-\$4,142.83

10. RESOLUTION AUTHORIZING EXECUTION OF AFFORDABLE HOUSING DEED RESTRICTION FOR AFFORDABLE HOUSING RENTAL UNITS AT HILLSBOROUGH VILLAGE CENTER

WHEREAS, there are forty-six (46) affordable housing rental units at the Hillsborough Village Center located at US Route 206, Block 178, Lot 4.01, Hillsborough, New Jersey; and

WHEREAS, in accordance with the Affordable Housing Regulations, the owner of the property has provided the Township with an Affordable Housing Deed Restriction covering the forty-six (46) affordable housing rental units; and

WHEREAS, the Township Affordable Housing Attorney has reviewed and approved the Affordable Housing Deed Restriction and recommends the execution and recording of the same.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that: (1) the Mayor and Clerk are authorized to execute the Affordable Housing Deed Restriction on behalf of the Township of Hillsborough; and (2) the Clerk is directed to forward the Affordable Housing Deed Restriction to the Somerset County Clerk for recording.

11. RESOLUTION AUTHORIZING THE SALE OF EQUIPMENT AT THE 2023 SOMERSET

COUNTY SPRING AUCTION TO BE HELD FROM MAY 11, 2023 TO MAY 18, 2023

WHEREAS, the Township Committee of the Township of Hillsborough hereby declares that the following items identified in this resolution are no longer needed for a public purpose and are surplus property which may be sold at public auction.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, Count of Somerset, State of New Jersey, that the following unneeded items are authorized to be sold at the 2023 Somerset County Spring Auction, set to be held from May 11, 2023, to May 18, 2023:

<u>UNIT</u>	<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>VIN NUMBER</u>
608	2016	FORD	EXPLORER	1FM5K8AR4GGB36849
625	2008	CHEVY	IMPALA	2G1WB58K781277194
653	2015	FORD	EXPLORER	1FM5K8AR8FGC26911
603	2017	FORD	EXPLORER	1FM5K8AR5HGC14749
74	1997	FORD	E150 VAN	1FMEE1124VHA63314
S-1	1996	GLEDHILL	10 FT TRH-QCP Snowplow	No vin
S-2	1996	GLEDHILL	10 FT TRH-QCP Snowplow	No vin
S-3	1996	GLEDHILL	10 FT TRH-QCP Snowplow	64080
	2009	Stihl Cut off Saw	TS800	165176179
M1	2004	Toro Z Master	74269	240000371
M2	2008	Toro Z Master	74269	280000149
M15	2004	Toro Z Master	74269	240000259
M14	2000	Toro	4000	210000425
M17	2008	TORO Z- MASTER	74274	270000177
	1999	John Deere	Gator	W004X2X034669
	2012	Bobcat	ProCat	94252100138
B7		Stihl	Hand Held Blower	263347835
B2		Stihl	Hand Held Blower	502460815
B14		Stihl	Hand Held Blower	286944730
B15		Stihl	Hand Held Blower	286944881
		Stihl	Hand Held Blower	297770890
		Stihl	Hand Held Blower	504836497
		Husqvarna	Weed Trimmer	289172866
		Red Max	Weed Trimmer	20192300297
W20		Husqvarna	Weed Trimmer	54100415
			2 Sets of Saddle Tanks	
Bought From County Auction - Returning to County				
T18	1972	GENERAL	3S	13S7227

12. RESOLUTION AUTHORIZING THE RELEASE OF \$499,979.88 FROM THE TOWNSHIP'S AFFORDABLE HOUSING TRUST FUND TO BE USED TOWARDS THE PURCHASE AND CONVERSION OF A HOME TO BE OWNED BY COMMUNITY OPTIONS, INC. AND TO BE USED AS A HOME FOR THE TOWNSHIP'S SPECIAL NEEDS/DEVELOPMENTAL NEEDS POPULATION

WHEREAS, the Township has adopted development fee ordinance creating a dedicated revenue source for affordable housing and establishing an Affordable Housing Trust Fund; and,

WHEREAS, the Township of Hillsborough's Affordable Housing Trust Fund Spending Plan (the "Spending Plan") provides an allocation for and authorizes the use of Affordable Housing Trust Funds, for amongst other things, use towards the purchase/conversion of homes that will be used as group homes for the Township's special needs/developmental needs population; and,

WHEREAS, the Township of Hillsborough ("Township") currently owns the property located at 32 Hamilton Road (the "Property"), which is identified as Block 199, Lot 11.01 on the Official Tax Map of the Township of Hillsborough, County of Somerset; and,

WHEREAS, the Township acquired said property back in 2013 utilizing a developer contribution of Two Hundred Ninety Nine Thousand Nine Hundred Seventy Nine Dollars and Eighty Eight Cents (\$299,979.88) for the purpose of

potentially housing an emergency medical services building at said location; and,

WHEREAS, since the Township's acquisition of the Property back in 2013, the Property has remained vacant; and,

WHEREAS, the Township of Hillsborough has, now, determined that the Property is no longer needed for said previously intended municipal purpose(s) and has authorized said to be conveyed to Community Options, Inc. ("COI") for development of affordable housing for low and moderate income qualified individuals with developmental disabilities, pursuant to a recently adopted Ordinance of the Township and pursuant to the Local Land and Building Law, specifically N.J.S.A. 40A:12-21(h); and,

WHEREAS, Community Options, Inc. has also requested funding in the amount of Two Hundred Thousand (\$200,000) Dollars (\$50,000 per bedroom) from the Township's Affordable Housing Trust Fund to be used towards the conversion of the Property which will be used as a four (4) bedroom home for the Township's special needs/developmental needs population who qualifies for low and/or moderate income affordable housing; and,

WHEREAS, the use of such funds towards the purchase of the Property and as requested by Community Options, Inc. from the Affordable Housing Trust Fund, is consistent with the Spending Plan, which Plan anticipates the expenditure of such funds by the Township each year to ensure that the Township meets its affordable housing obligations and goals; and,

WHEREAS, adequate funds are available in the Affordable Housing Trust Fund for such use by Community Options, Inc.; and,

WHEREAS, the Township Committee desires to authorize the release the total amount of Four Hundred Ninety Nine Thousand Nine Hundred Seventy Nine Dollars and Eighty Eight Cents (\$499,979.88) from the Township's Affordable Housing Trust Fund, to which Two Hundred Ninety Nine Thousand Nine Hundred Seventy Nine Dollars and Eighty Eight Cents (\$299,979.88) shall be reimbursed back to the appropriate Township account to reimburse as to the original Property purchase amount and the remaining Two Hundred Thousand (\$200,000) Dollars to Community Options, Inc. for use towards the conversion of the Property to be used as a four (4) bedroom home for the Township's special need/developmental needs population, which qualifies for affordable housing.

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

1. The Township Committee hereby approves and authorizes the release of Four Hundred Ninety Nine Thousand Nine Hundred Seventy Nine Dollars and Eighty Eight Cents (\$499,979.88) from the Township's Affordable Housing Trust Fund, to which Two Hundred Ninety Nine Thousand Nine Hundred Seventy Nine Dollars and Eighty Eight Cents (\$299,979.88) shall be reimbursed back to the appropriate Township account to reimburse as to the original Property purchase and the remaining Two Hundred Thousand (\$200,000) Dollars to Community Options, Inc. for use towards the conversion of the Property located at 32 Hamilton Road to be used as a four (4) bedroom home for the Township's special needs/developmental needs population, which qualifies for affordable housing.

2. That an original certified copy of this Resolution shall be forwarded to the Township's Municipal Housing Liaison and Affordable Housing Coordinator.

13. RESOLUTION AUTHORIZING THE PURCHASE OF A WATER TANK FROM THE SOMERSET COUNTY PARK COMMISSION

WHEREAS, by Resolution R22-290, dated December 28, 2022, the Somerset County Park Commission determined that certain personal property it owned was no longer needed for public use by it and the Commission authorized the sale of said property at a public auction; and

WHEREAS, included with the surplus personal property authorized for sale (specifically listed as Item No. 25) was a "Water tank around 300 G : W-8'L-13"H-4'" (hereinafter, the "Water Tank"); and

WHEREAS, the Township of Hillsborough expressed interest in acquiring the Water Tank and the Somerset County Park Commission has agreed to sell it to the Township for \$1.00 dollar with the understanding that the Water Tank will revert back to the Somerset County Park Commission when no longer needed by the Township; and

WHEREAS, the Somerset County Park Commission adopted Resolution R23-03-061 authorizing the sale of the Water Tank directly to the Township as authorized under N.J.S.A. 40A:11-36(2).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Township is authorized to purchase the Water Tank from the Somerset County Park Commission for \$1.00 dollar and when the Water Tank is no longer needed by the Township, it shall convey and deliver ownership of the Water Tank back to the Somerset County Park Commission.

14. RESOLUTION AUTHORIZING THE REPLACEMENT AND INSTALLATION OF CABLE AND FIBER IN THE MUNICIPAL COMPLEX BY TURN-KEY TECHNOLOGIES

WHEREAS, the Township's cable and fiber needs to be replaced to accommodate the needs of the Township; and

WHEREAS, Turn-Key Technologies, Inc., will provide the replacement and installation of cable and fiber through the ESCNJ Coop Contract #22/23-38 of which the Township of Hillsborough is a member in an amount not to exceed \$86,596.00; and

WHEREAS, funding is available through the American Rescue Plan Act of 2021 #G-02-40-650-000 and funds have been certified as such by the Chief Finance Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the replacement and installation of cable and fiber by Turn-Key Technologies, Inc., through the ESCNJ Coop Contract #22/23-38 in an amount not to exceed \$86,596.00 is hereby authorized.

15. RESOLUTION AUTHORIZING PURCHASE OF BULK ROCK SALT FOR PUBLIC WORKS THROUGH THE SOMERSET COUNTY COOPERATIVE

WHEREAS, the Director of the Department of Public Works has requested authorization to purchase bulk rock salt; and

WHEREAS, Atlantic Salt, Inc., will provide these materials through the Somerset County Cooperative Contract #CC-0054-22 of which the Township of Hillsborough is a member in an amount not to exceed \$76,000.00; and

WHEREAS, funds are available in the 2023 municipal budget and have been certified as such by the Chief Finance Officer through Account #3-01-26-769-084.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the purchase of bulk rock sale from Atlantic Salt, Inc., through the Somerset County Cooperative Contract #CC-0054-22 in an amount not to exceed \$76,000.00 is hereby authorized.

16. RESOLUTION AUTHORIZING THE PURCHASE OF FATAL VISION EVENT KITS

WHEREAS, the Township of Hillsborough solicited quotes for Fatal Vision Event Kits to be used for community education on drug and alcohol awareness and received three (3) responses as follows:

Innocorp Ltd.	\$10,883.00
Per unit cost lower and able to to provide all types required	

S&S	\$6,032.81
Worldwide	Per unit cost higher and not able to provide all types required
Nasco	\$8,914.50
	Per unit cost higher and not able to provide all types required

WHEREAS, N.J.S.A. 40A:11-6.1 authorizes the award of a contract to the vendor whose response is most advantageous, price and other factors considered; and

WHEREAS, the Police Department and the Township Qualified Purchasing Agent recommend the purchase of the Fatal Vision Event Kits from Innocorp, Ltd., in an amount not to exceed \$10,833; and

WHEREAS, funds will be available from the National Opioid Funding received by the Township of Hillsborough and have been certified as such by the Chief Finance Officer through account #T-12-56-860-044.

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 purchase of Fatal Vision Event Kits from Innocorp, Ltd., in an amount not to exceed \$10,883.00.

17. RESOLUTION AUTHORIZING THE PURCHASE OF FOUR (4) OUTDOOR RETURN BINS FOR THE HILLSBOROUGH LIBRARY

WHEREAS, the Hillsborough Library needs to replace the outdoor return bids, due to their deterioration; and

WHEREAS, the library's Branch Manager solicited quotes for four (4) outdoor return bins and received three (3) responses as follows:

The Library Store	\$23,390.03
Brodar Library Supplies & Furnishings	\$20,342.81
Demco	\$21,671.96

WHEREAS, N.J.S.A. 40A:11-6.1 authorizes the award of a contract to the vendor whose response is most advantageous, price and other factors considered; and

WHEREAS, the Branch Manager and the Township Qualified Purchasing Agent recommend the bins be purchased from Brodar Library Supplies & Furnshings in an amount not to exceed \$20,342.81; and

WHEREAS, funds will be available from the Library Trust Fund and have been certified as such by the Chief Finance Officer through account #T-12-56-860-030.

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 purchase of four (4) outdoor return bins to be purchased from Brodar Library Supplies & Furnshings in an amount not to exceed \$20,342.81.

18. RESOLUTION AUTHORIZING THE DIGITALIZATION OF HEALTH DEPARTMENT RECORDS BY FOVEONICS IN AN AMOUNT NOT TO EXCEED \$56,804.00

WHEREAS, the Township Health Department needs to have their records digitalized; and

WHEREAS, Foveonics will provide these services through the ESCNJ Coop Contract #22/23-11 of which the Township of Hillsborough is a member in an amount not to exceed \$56,804.00; and

WHEREAS, funding is available through the Enhancing Local Public Health Grant g-02-40-363-000 and funds have been certified as such by the Chief Finance Officer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Foveonics is hereby authorized to provide records digitalization services for the Health Department in an amount not to exceed \$56,804.00.

19. RESOLUTION AUTHORIZING PENNONI ASSOCIATES TO PROVIDE TAX MAP UPDATES AND CERTIFICATIONS IN AN AMOUNT NOT TO EXCEED \$8,000.00

WHEREAS, on January 4, 2021, 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 the necessity for professional engineering services, namely, to provide Tax Map Updates and Certifications as described in a proposal from Pennoni Associates, dated March 13, 2023, in an amount not to exceed \$8,000.00; and

WHEREAS, funding for these services will be provided through account #3-01-20-715-028 as certified by the Chief Financial Officer.

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 Tax Map Updates and Certifications for Hillsborough Township as outlined in its proposal, dated March 13, 2023, in an amount not to exceed \$8,000.00; (2) the Mayor and Township Clerk are hereby authorized to execute an amendment to the Professional Services Contract with Pennoni Associates for these services in an amount not to exceed \$8,000.00; and (3) 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.

20. RESOLUTION APPOINTING BEN ROZENBLAT TO THE ECONOMIC AND BUSINESS DEVELOPMENT COMMISSION

WHEREAS, there is a vacancy in Alternate Seat #2 on the Economic and Business Development Commission; and

WHEREAS, Ben Rozenblat shall be appointed to Alternate Seat #2 on the Economic and Business Development Commission expiring on 12/31/2026.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the above amendment to the Economic and Business Development Commission is hereby approved.

21. RESOLUTION APPOINTING MARK HASTING TO THE OPEN SPACE ADVISORY COMMITTEE

WHEREAS, there is a vacancy in Seat #9 on the Open Space Advisory Committee; and

WHEREAS, Mark Hasting shall be appointed to Seat #9 on the Open Space Advisory Committee expiring on 12/31/2025.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the above amendment to the Open Space Advisory Committee is hereby approved.

Upon a motion by Committeeman Jim Ruh, seconded by Deputy Mayor Robert Britting, to move on consent items, 1-5 was unanimously approved upon the call of the roll.

Upon a motion by Deputy Mayor Robert Britting, seconded by Committeeman Jim Ruh, the consent agenda Resolutions 1-5 were unanimously approved upon the call of the roll.

Township Administrator Ferrera thanked Township supervisors for attending the meeting and welcomed the five new employees to the Township.

Deputy Mayor Britting reiterated Township Administrator Ferrera's sentiments and thanked him for choosing the right people for the positions.

Mayor Lipani added he is pleased with the people we have and that it worked out very well.

Maria Janucik, 720 E Frech Avenue, Manville, posed questions regarding the replacement of the current CFO position.

Township Administrator Ferrera provided an explanation.

Upon a motion by Deputy Mayor Robert Britting, seconded by Committeeman Jim Ruh, to approve the concept plan per conditions was unanimously approved upon the call of the roll.

Upon a motion by Committeeman John Ciccarelli, seconded by Deputy Mayor Robert Britting, the consent agenda Resolutions 6-21 were unanimously approved upon the call of the roll.

Maria Janucik, 720 E Frech Avenue, Manville, inquired as to resolutions 6, 7, 9, 10, 12, 15 and 16. Administrator Ferrera, Attorney Willard, Mayor Lipani, and Attorney Bernstein provided responses.

PUBLIC HEARINGS

None

INTRODUCTION OF NEW ORDINANCES

1. 2023-04 AN ORDINANCE AMENDING CHAPTER 188 “LAND USE AND DEVELOPMENT”, ARTICLE V “DISTRICTS AND STANDARDS” SECTION 188-107.2 “TECD TRANSITIONAL ECONOMIC DEVELOPMENT DISTRICT” OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, COUNTY OF SOMERSET, STATE OF NEW JERSEY. FURTHER CONSIDERATION AND A PUBLIC HEARING TO BE HELD ON APRIL 25, 2023.

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” of the Municipal Code of the Township of Hillsborough is amended as follows: **New language is underlined thus and deletions are indicated with strikethroughs ~~thus~~.**

Section 1. Chapter 188 “Land Use and Development”, Article V “Districts and Standards”, Section 188-107.2

“TECD Transitional Economic Development District” is amended as follows:

§ 188-107.2 TECD Transitional Economic Development District.

A. Purpose. The purpose of the TECD Transitional Economic Development District is to provide transitional employment generating development between the high-intensity light industrial and corporate development districts and the existing nearby residential development.

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 § 107.2B to G below:

- (1) Research and product development laboratories mainly devoted to research, design, and testing or experimentation, including processing or fabricating that is subordinate to the principal uses, and specifically excluding the sale of finished products directly to the general public.
- (2) Offices, including medical offices.
- (3) Computer centers, data processing and communications facilities.
- (4) Solar, wind and other alternative energy research and development facilities.
- (5) Reserved. ~~Warehousing, shipping and receiving located completely within an enclosed building.~~
- (6) The manufacturing, processing, finishing and assembly of products completely within an enclosed building.
- (7) 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 did 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 issue for modification of all or part of 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.
- (8) Farm markets.
- (9) Industrial or office park subject to site plan review and the following special requirements:
 - (a) A minimum tract area of 20 acres.
 - (b) All individual lots must comply with the area, yard and bulk requirements contained in §107.2D.
- (10) Commercial instructional activities.
- (11) Agricultural uses.
- (12) Indoor recreation and fitness/wellness centers.

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 newsstand, post office, 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 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 it is associated.
- (9) Loading areas which are fully screened such that the screening materials are compatible with the structure to which it is associated.

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

- (1) Buffer requirements. A minimum twenty-foot buffer is required, except that a minimum one-hundred-foot buffer is required where adjacent to any residential district. 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 or property owner for the buffer area, subject to approval by the Township Attorney and recorded prior to the issuance of a certificate of occupancy. There shall be no buffer required along any property line that is adjacent to the rail line.
- (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 six feet above finished grade.
- (3) Area, yard and bulk regulations.
 - (a) Minimums.
 - {1} Lot area: five 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, except where adjacent to a residential zone or existing dwelling, it shall be 150 feet. There shall be no internal side yard setback between buildings where multiple buildings occur on one lot.
 - {6} Rear yard: 75 feet, except where adjacent to a residential zone or existing dwelling, it shall be 150 feet.

(b) Maximums.

{1} Total impervious coverage: 60%.

{2} Building height: three stories or 40 feet.

E. Off-street parking requirements. The minimum number of required off-street parking spaces for the permitted uses in the TECD District are as follows:

Uses	Required Parking Spaces
Office	3 spaces per 1,000 square feet of usable floor area
Medical office	4 spaces per 1,000 square feet of usable floor space
Child-care and adult day-care center	1 space per employee plus 1 space per 10 children or adults enrolled
Research and development facilities, computer centers, data-processing and communications facilities	2.5 spaces per 1,000 square feet of usable floor area
Manufacturing	1 space per 1,500 square feet of usable floor area
Warehousing	1 space per 5,000 square feet of usable floor area
Commercial instructional	3 spaces per 1,000 square feet of usable floor area
Indoor recreation and fitness/wellness center	3.5 spaces per 1,000 square feet of usable floor area

F. Supplemental regulations to TECD District.

(1) Site building standards.

(a) 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.

(b) 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} Width of curbs.

{a} The maximum width of curb cuts shall be:

{i} Twelve feet for one-way drives; and

{ii} Twenty-four feet for two-way drives.

{b} 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 property.

{6} 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.

(2) 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 feet 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 root 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.

(3) Off-street parking site design.

(a) All parking areas abutting a residential zone or existing dwelling must be screened by a berm, a solid evergreen buffer, and/or other similar screening mechanism.

(b) All parking areas, where visible from a public street, shall be screened by a five-foot-high solid wall, architectural fence, solid evergreen hedge, berm and/or other similar screening mechanism.

(c) One canopy tree shall be provided at a ratio of one tree to every four parking spaces in the area.

(d) Where slopes over 5% exist, parking bays shall be terraced, with planting between changes in level.

- (e) Where over 50 parking spaces are provided, pedestrian pathways identified with smaller-scale pavement treatment (pavers or scoring) oriented toward the principal building entrances shall be provided.
 - (f) 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.
 - (g) 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.
 - (h) 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.
 - (i) 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.
 - (j) Shared parking with adjacent or nearby properties shall be encouraged, as appropriate.
 - (k) Parking areas containing more than 100 spaces 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. End aisles should be delineated by a landscaped island, not by painted asphalt.
 - (l) There shall be a comprehensive network of sidewalks around the 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.
- (4) 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 pedestrian entrance.
 - (c) Along any facade with a pedestrian 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 treatment (pavers or scoring);
 - {3} Pedestrian-scale lighting;
 - {4} Rain protection (awnings, arcades).

(e) Common areas shall be accessible from all buildings and connected by an on-site pedestrian circulation system. Sidewalks and plazas should be made comfortable for use by pedestrians through the use of landscaping, overhangs and canopies in order to provide shade.

(5) 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 complement 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.

(6) Loading, outdoor storage, and service areas.

(a) Where these areas are adjacent to residential uses or public rights-of-way, an earthen berm, no less than four 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. A decorative wall with appropriate landscaping may be substituted at the discretion of the Planning Board or Board of Adjustment, as appropriate.

(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 employee and customer circulation where possible.

(7) Affordable housing shall be provided in accordance with the applicable law and regulations.

G. Architectural standards.

(1) Exterior building design shall be coordinated with respect 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.

(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) 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.

(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 2. 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 inconsistency or conflict between the provisions of this Ordinance or other local requirements, 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. 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 5. 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 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, in accordance with N.J.S.A. 40:49-2 and N.J.S.A. 40:49-2.1, is hereby directed to publish this Ordinance in its entirety or by title and summary at least once in a newspaper published and circulated in the municipality, if there is one, and if not, in a newspaper printed in the county and circulating in the municipality, together with a notice of the introduction thereof, the time and place when and where it will be further considered for final passage. The publication shall include a clear and concise statement prepared

by the Clerk setting forth the purpose of this Ordinance and a time and place when and where a copy of this Ordinance can be obtained without cost by any member of the general public. The publication shall be at least one week prior to the scheduled hearing.

Section 8. If adopted, the Township Clerk, in accordance with N.J.S.A. 40:49-2 and N.J.S.A. 40:49-2.1, is hereby directed to publish this Ordinance, in its entirety or by title and summary, together with a notice of the date of passage or approval, at least once in a newspaper published and circulated in the municipality, if there is one, and if not, in a newspaper printed in the county and circulating in the municipality.

Section 9. If adopted, the Township Clerk, in accordance with N.J.S.A. 40:55D-16, shall forward a copy of this Ordinance to the County Planning Board for filing.

Section 10. This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Upon a motion by Deputy Mayor Robert Britting, seconded by Committeeman John Ciccarelli, to introduce Ordinance 2023-04. Further consideration and a Public Hearing to be held on April 25, 2023. The motion was unanimously approved upon the call of the roll.

CLAIMS LIST

1. CLAIMS LIST 2023-05

Mayor Lipani asked to approve Claims List 2023-05.

Upon a motion by Deputy Mayor Robert Britting, seconded by Committeeman John Ciccarelli, Claims List 2023-05, was approved upon the call of the roll.

NEW BUSINESS

None

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

Pam Gizzi, 11 Kilmer Drive, Hillsborough discussed the need for pickleball courts in Hillsborough.

Mayor Lipani stated that the Committee is aware of the pickleball craze and will continue to look into the topic and the possibilities for court conversion within the township.

Township Administrator Ferrera stated that the township is currently looking into grants on this topic and the Recreation Department is looking at their goals and objectives to start three new projects for the year and pickleball may be one on their list.

Maria Janucik, 720 E Frech Avenue, Manville spoke regarding the March 9 Planning Board meeting and spoke about the 279 Homestead Rd memo.

Attorney Bernstein stated that this is not the venue for such discussion.

EXECUTIVE SESSION

None

ADJOURNMENT

Upon a motion by Committeeman Jim Ruh, seconded by Deputy Mayor Robert Britting, the meeting duly adjourned at 9:28 pm. Said motion was unanimously carried upon voice vote.

Attested:

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

Pamela Borek
Township Clerk