

Minutes of the April 25, 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 April 25, 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., and Committeeman Doug Tomson. Also in attendance were Township Administrator Anthony Ferrera, Township Clerk Pamela Borek and Township Attorney William Willard.

SALUTE TO THE FLAG

MAYOR STATES

Mayor Lipani advised that in accordance of section 5 of the Open Public Meetings Act, Chapter 231, of the Public Laws of 1975, that notice of this meeting was made by the posting on the bulletin board at the Hillsborough Township Municipal Complex and notifying the officially designated newspapers that this meeting would take place at the Hillsborough Township Municipal Complex at 7:30 p.m. on Tuesday, April 25, 2023.

APPROVAL OF MINUTES

1. MARCH 28, 2023 REGULAR SESSION MINUTES

Upon a motion by Committeeman Jim Ruh, seconded by Committeeman John Ciccarelli, March 28, 2023, Regular Session Minutes were approved upon the call of the roll.

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

Committeeman Ciccarelli

Committeeman Ciccarelli reported on the specific requirements regarding pools and their installation and barriers.

Committeeman Ciccarelli reminded businesses and homeowners associations of their responsibility for the maintenance and upkeep of their stormwater facilities.

Committeeman Ciccarelli shared that Hillsborough's Arbor Day tree program occurred on Saturday, April 22, where free bare-root Blue Spruce trees were given to roughly 1,000 township residents and students.

Committeeman Ciccarelli notified residents planning on completing exterior improvements to their property that residential property surveys may be on file with the Planning and Zoning Department if the property survey was submitted with a prior application.

Committeeman Ruh

Committeeman Ruh commented that sign-ups for the 2023 Summer Recreation Program and Camps are well under way. Residents can sign up at <https://register.communitypass.net/hillsborough>.

Committeeman Ruh discussed the recycling process for plastic bags.

Committeeman Ruh announced free blood pressure checks and Covid 19 Booster Vaccinations on Thursday, May 4th, and May 11th from 11:00 am to 1:00 pm at the health department.

Committeeman Ruh announced April as Volunteer Month and reported that the Hillsborough Community Assistance

Network (C.A.N.) food pantry volunteers collectively dedicated over 1,000 hours of service to C.A.N. in 2022, and 400 hours this year alone.

Committeeman Tomson

Committeeman Tomson thanked the Hillsborough Baseball League and shared that he was joined by Committeeman Ruh and Committeeman Ciccarelli for their opening day festivities.

Committeeman Tomson reminded residents to not leave valuables in their vehicles and to be aware of their surroundings when driving, walking and biking throughout town.

Committeeman Tomson encouraged residents to save the date for BoroSafe's 5th Annual "Hope for Tomorrow" Mental Health & Wellness Fair on Friday, May 12th from 5 - 7 PM. The event will take place outdoors on the grounds of the Municipal Complex but will move indoors if inclement weather is expected.

Deputy Mayor Britting

Deputy Mayor Britting shared that he and Committeeman Ciccarelli attended both Senior Chapter meetings, A & B, and met so many of our seniors and shared some of their initiatives.

Deputy Mayor Britting reported that the Township offers tax deductions to Veterans and also Senior and Disabled persons that qualify financially. Residents can contact the Tax Assessor's Office for more information.

Deputy Mayor Britting shared that there is a Senior Freeze Program through the State that reimburses eligible senior citizens and disabled persons for property tax increases on their principal residences.

Deputy Mayor Britting reminded residents that 2nd quarter taxes are due on May 1st with a 10 calendar day grace period. Online payments can be made at www.hillsborough-nj.org

Deputy Mayor Britting announced HBA's 2023 Summer networking social, on June 22nd from 7 PM-9 PM at the Landing in Hillsborough. Residents and can sign up at www.hillsboroughbusiness.org.

Deputy Mayor Britting announced the Hillsborough Mayors Wellness Campaign survey. Hillsborough Mayors Wellness Committee will use the results of this survey and other information to identify health challenges that can be addressed through community action.

Deputy Mayor Britting reported that for the 12th year in a row, towns across the nation are taking part in the Wyland Foundation's National Mayor's Challenge for Water Conservation. He encouraged Hillsborough residents to take part in the challenge again by April 30th at mywaterpledge.com.

Deputy Mayor Britting announced that May 4th is National Day of Prayer and our Interfaith Community will be hosting a brief service on May 4th at 11:30 am here at the Garden of Honor. All are invited to attend.

Deputy Mayor Britting shared two opportunities to help keep Hillsborough Township Beautiful on April 29th. The Adopt-a-highway program and beautifying a (yet to be determined) park area.

Mayor Lipani

Mayor Lipani spoke about the week of April 23-29 being National Library Week.

Mayor Lipani announced that the Township's annual Memorial Day Celebrations, the Salute to Military Service Breakfast, Memorial Day Parade and Garden of Honor Ceremony will be held on Saturday, May 27th.

Mayor Lipani stated that Saturday, June 24th, will be the annual Family Fun Day and Fireworks Celebration.

Mayor Lipani shared that the Clerk's Office recently received a service medal that was found at "a parade" in Hillsborough. Residents should contact the Clerk's Office at (908) 369-3535 to help determine if it belongs to them.

PROCLAMATIONS / APPOINTMENTS

1. POLICE CPR LIFESAVING AWARD - OFFICERS DYLAN ELY, TIANA RAMOS, AND RICK TICHENOR

WHEREAS, Hillsborough Police Officers Dylan Ely, Tiana Ramos, and Rick Tichenor have been awarded the Department CPR Lifesaving Award; and

WHEREAS, on January 7, 2023 Officers Ely, Ramos, and Tichenor were dispatched to Auten Road Intermediate School on a report of an unresponsive male youth in cardiac arrest with CPR in progress; and

WHEREAS, Officer Ramos first arrived on the scene and observed the patient to be blue and not breathing, with a good Samaritan already in the process of administering chest compressions. Officer Ramos immediately administered oxygen; and

WHEREAS, Officers Ely and Tichenor arrived on the scene and the three officers continued life-saving measures, including administering a shock from the school defibrillator. The patient was revived and taken to the hospital in stable condition; and

WHEREAS, the valiant actions of Officers Ely, Ramos, and Tichenor, serve as an example of the highest standards of the Hillsborough Township Police Department through their heroism and willingness to help others; and

WHEREAS, Hillsborough Township Police Chief Michael McMahon has recognized Officers Dylan Ely, Tiana Ramos, and Rick Tichenor with the Department CPR Lifesaving Award for being instrumental in reviving this victim.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Hillsborough Township Committee, do hereby extend our sincere gratitude to Hillsborough Township Police Officers Dylan Ely, Tiana Ramos, and Rick Tichenor for saving the life of this individual, and for being shining members of our community.

BE IT FURTHER PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, thank Hillsborough Township Police Officers Dylan Ely, Tiana Ramos, and Rick Tichenor for their outstanding service to the residents of Hillsborough.

2. POLICE CPR LIFESAVING AWARD - OFFICERS, AMAN TOMAR AND FRANK POLIZZI

WHEREAS, Hillsborough Police Officers Aman Tomar and Frank Polizzi, have been awarded the Department CPR Lifesaving Award; and

WHEREAS, on June 13, 2022, Officers Tomar and Polizzi were dispatched to a location on a report of an unresponsive male in cardiac arrest with CPR in progress by Brinks Security Officer, Laszlo Ivoros; and

WHEREAS, Officer Tomar arrived on the scene first and took over chest compressions while instructing Mr. Ivoros on how to provide rescue breaths. Officer Polizzi arrived and the three moved the patient out of a confined space.

WHEREAS, the officers continued with life-saving measures for six minutes until the rescue squad arrived. Subsequently, a pulse was regained. The patient, Ioseb Bidzinashvili was transported to the hospital and was reported the following day to be in stable condition and improving; and

WHEREAS, the valiant actions of Officers Tomar and Polizzi serve as an example of the highest standards of the Hillsborough Township Police Department through their heroism and willingness to help others; and

WHEREAS, Hillsborough Township Police Chief Michael McMahon has recognized Officer Aman Tomar and Officer Frank Polizzi with the Department CPR Lifesaving Award for being instrumental in reviving the victim.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and Hillsborough Township Committee, do hereby extend our sincere congratulations and appreciation to Hillsborough Township Police Officers Aman Tomar and Frank Polizzi for saving the life of this individual and for being shining members of our community.

BE IT FURTHER PROCLAIMED that the Mayor and the Hillsborough Township Committee thank Hillsborough Township Police Officers Aman Tomar and Frank Polizzi for their service to the residents of Hillsborough as well

as thank Brinks Security Officer, Laszlo Ivoros for his heroic CPR effort.

3. DONNA GRIGGS - HILLSBOROUGH HIGH SCHOOL'S GOVERNOR'S EDUCATOR OF THE YEAR

WHEREAS, Donna Griggs, a high school Biology and Environmental Science teacher, has the honor of being named Hillsborough High School's Governor's Educator of the Year for 2022-2023, because of her dedication and service to the Hillsborough School District; and

WHEREAS, Donna Griggs has been a member of the Hillsborough School District faculty for 14 years; and

WHEREAS, Donna Griggs has co-developed and is currently teaching the new Honors Research in Molecular Biology. She is also the volunteer advisor for the Days for Girls and Girl Up clubs at Hillsborough High School; and

WHEREAS, Hillsborough High School is proud to name Donna Griggs as their Teacher of the Year.

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

4. NIMISHA JAIN - SUNNYMEAD ELEMENTARY SCHOOL'S GOVERNOR'S EDUCATOR OF THE YEAR

WHEREAS, Nimisha Jain, an instructional assistant, has the honor of being named Sunnymeade Elementary School's Governor's Educator of the Year for 2022-2023, because of her dedication and service to the Hillsborough School District; and

WHEREAS, Nimisha Jain has been a member of the Hillsborough School District faculty for 10 years; and

WHEREAS, Nimisha Jain assists teachers in the classroom, in grades two through four, working with individual children and in groups with a variety of subjects. She has also assisted with special programs, assemblies, and after school programs; and

WHEREAS, Nimisha Jain volunteers at a local Hindi school helping children with speaking, reading, and writing Hindi; and

WHEREAS, Sunnymeade Elementary School is proud to name Nimisha Jain as their Educational Services Professional of the Year.

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

5. NATIONAL SMALL BUSINESS WEEK

WHEREAS, America's economic growth has been driven by the resilience of our small businesses who, despite a worldwide pandemic, continue to pioneer innovative solutions to our country's greatest challenges and create opportunities for families and workers; and

WHEREAS, when we support small businesses, jobs are created, and local communities preserve their unique culture; and

WHEREAS, this country's 32.5 million small businesses create nearly two out of three jobs in the economy. Therefore we must discuss ways to support our entrepreneurs; and

WHEREAS, Hillsborough Township supports and joins in this national effort to help America's, and more specifically, Hillsborough's small businesses grow their business, create jobs, and ensure that our local communities remain vibrant.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby proclaim April 30th to May 6th as National Small Business Week.

6. PREECLAMPSIA AWARENESS MONTH

WHEREAS, preeclampsia is a life-threatening hypertensive disorder of pregnancy that can occur in five to ten percent of all pregnancies worldwide; and

WHEREAS, approximately 76,000 women and 500,000 babies die each year worldwide and black women

experience severe maternal morbidity three times greater than white women; and
 WHEREAS, the United States currently ranks 47th worldwide for maternal mortality and is the only industrialized nation with a rising maternal mortality rate; and
 WHEREAS, the symptoms of preeclampsia are severe headaches, swelling in hands and face, visual issues, nausea and vomiting, stomach or abdomen pain, sudden weight gain, and shortness of breath. These symptoms can arise postpartum as well; and
 WHEREAS, preeclampsia can lead to seizure, stroke, multiple organ failure, and death of the mother and/or baby; and
 WHEREAS, the 2023 theme is “Move Preeclampsia Research Forward”; and
 WHEREAS, actions that can mitigate the impact of preeclampsia include: educational literature to patients, early hypertension controls, nutrition and exercise, standardizing and deploying care guidelines, and continuous support from the prenatal through the postpartum period; and
 WHEREAS, the Somerset Promise Walk, chaired by Trashaun Powell participates in an annual country-wide event to support innovative research and raise public awareness about the warning signs of preeclampsia.
 NOW, THEREFORE, BE IT PROCLAIMED, that we, the Mayor and Hillsborough Township Committee, hereby declare May as Preeclampsia Awareness Month and vow to continue to support efforts toward research and public awareness.

7. NATIONAL VOLUNTEER WEEK

WHEREAS, National Volunteer Week, celebrated April 16th through 22nd, is about inspiring, recognizing, and encouraging people to seek out volunteer opportunities in their communities. The 2023 theme is “United We Serve”; and
 WHEREAS, New Jersey’s 1.8 million volunteers provide more than 160 million hours of service annually; and
 WHEREAS, our volunteers make a lasting difference as they mentor and tutor students, serve the elderly and people with disabilities, prepare and distribute food to the needy, and beautify the environment; and
 WHEREAS, Hillsborough’s food bank has been serving the community since the early 1980’s and changed its name to the Hillsborough Community Assistance Network (C.A.N.) in 2013; and
 WHEREAS, the Hillsborough Township Community Assistance Network (C.A.N.) provides excellent volunteer opportunities for youth and adult residents and businesses. In 2022, 117 volunteers contributed 1,542 hours of their time sorting and distributing food to Hillsborough families; and
 WHEREAS, C.A.N. volunteers processed 493 donations from the community, ranging from small bags to a bus full of donations. In 2022 there were 663 visits by 78 local families receiving bi-weekly groceries, holiday meals and holiday gifts; and
 WHEREAS, Hillsborough Township is grateful to its countless volunteers and appreciates their volunteer efforts.
 NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby proclaim April 16th to April 22nd as National Volunteer Week and honor all of Hillsborough Township’s volunteers for their outstanding service to our community.

8. ARBOR DAY

WHEREAS, trees provide environmental benefits including air purification, the production of oxygen, windbreaks and noise reductions, cutting heating and cooling costs, moderating the temperature, and providing habitats for wildlife; and
 WHEREAS, planting trees and maintaining older trees provides an opportunity for community interaction, volunteerism, economic development, and environmental conservation; and
 WHEREAS, trees in our township increase property values, enhance the economic vitality of business areas, and beautify our community; and
 WHEREAS, trees wherever they are planted, are a source of joy and spiritual renewal.
 NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby proclaim April 28th 2023 as Arbor Day and urge all citizens to celebrate and support efforts to protect our trees and woodlands.

PRESENTATIONS

CONSENT

1. 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.

Vinita Adabala	\$120.00
Kristal Calloway	\$150.00
Anthony Ferrera	\$65.00
Hongyin Zhang	\$110.00
Avery Dameron	\$135.00

2. RESOLUTION REJECTING ALL BIDS FOR THE STORMWATER OUTFALLS REPAIR BID SPECIFICATIONS AND AUTHORIZING THE ENGINEERING DIRECTOR TO REVISE AND RE-ADVERTISE FOR BIDS

WHEREAS, sealed bids were opened and read on March 29, 2023 at 10:30A.M., which was the time and place as provided for the invitation to the bid entitled "Stormwater Outfalls Repairs" in accordance with the Local Public Contracts Law; and

WHEREAS, 1 bid was received from the following vendor:

VENDOR	AMOUNT
S.F. Lutzky Contracting	\$1,930,300.00

WHEREAS, the Township Engineering Director indicates the lone bid substantially exceeds the cost estimate and appropriation for the services to be performed; and

WHEREAS, N.J.S.A. 40A:11-13.2(a) and N.J.S.A. 40A:11-13.2(b) authorize a contracting unit to reject all bids when the lowest bid substantially exceeds the cost estimate or appropriation for the goods or services; and

WHEREAS, the Engineering Director recommends the bids be rejected by the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that: (1) the bid received for the Stormwater Outfall Repairs is hereby rejected; and (2) the Engineering Director is authorized to revise and re-advertise for bids for the Stormwater Outfall Repairs.

3. RESOLUTION AMENDING APPOINTMENTS TO THE RECREATION AND PARKS COMMITTEE

WHEREAS, there is a need to amend the appointments to the Recreation and Parks Committee; and

WHEREAS, due to a recent vacancy, Tyrone Jackson shall be appointed to Seat #6 expiring on 12/31/2027.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County

of Somerset, State of New Jersey, that the above amendments to the Recreation and Parks Committee are hereby approved.

4. RESOLUTION AWARDING CONTRACT TO INTERSTATE FIREWORKS FOR THE PROVISION OF A FIREWORKS DISPLAY AT THE 2023 HILLSBOROUGH FAMILY FUN EVENT

WHEREAS, the Township of Hillsborough solicited quotes for a fireworks display for the Hillsborough Family Fun Event and two (2) responses were received as follows:

Interstate Fireworks Inc.,	\$10,000.00
Starfire Corporation	\$10,000.00

WHEREAS, the Director of Parks & Recreation and the Township Qualified Purchasing Agent recommend the award of a contract to Interstate Fireworks in an amount not to exceed \$10,000.00 in accordance with the project specifications and quote submitted; and

WHEREAS, funds will be available in the 2023 budget and have been certified as such by the Chief Finance Officer through account #3-01-30-797-298.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that a contract is hereby awarded to Interstate Fireworks in an amount not to exceed \$10,000.00 for the provision of a fireworks display at the Hillsborough Family Fun Event in accordance with the project specifications and quote submitted.

5. RESOLUTION AUTHORIZING PURCHASE OF SIGN MATERIALS FOR PUBLIC WORKS THROUGH THE SOMERSET COUNTY COOPERATIVE

WHEREAS, the Director of the Department of Public Works has requested authorization for the purchase of sign materials for the Sign Shop; and

WHEREAS, Garden State Highway Products, Inc., will provide these materials through the Somerset County Cooperative Contract #CC-0099-21 of which the Township of Hillsborough is a member in an amount not to exceed \$9,244.00; and

WHEREAS, funds will be available in the 2023 municipal budget and have been certified as such by the Chief Finance Officer through Account #3-01-26-765-122.

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 sign materials for the Sign Shop from Garden State Highway Products, Inc., through the Somerset County Cooperative Contract #CC-0099-21 in an amount not to exceed \$9,244.00 is hereby authorized.

6. RESOLUTION RATIFYING AND CONFIRMING THE AWARD OF A CONTRACT TO YAGER LAWN MAINTENANCE FOR THE PROVISION OF A TWO PERSON CREW AND LEAF VACUUMING EQUIPMENT FOR THE TOWNSHIP LEAF PROGRAM

WHEREAS, the Director of Public Works determined there was a need for assistance with the annual leaf program; and

WHEREAS, the Township of Hillsborough solicited quotes and received three (3) responses as follows:

Yager Lawn Maintenance LLC	\$1,450.00 per day
----------------------------	--------------------

Moss Landscaping Inc.	\$1,650.00 per day
JML Landscaping	No Quote

WHEREAS, the Director of Public Works and Qualified Purchasing Agent recommend the award of a contract to Yager Lawn Maintenance at the rate of \$1,450.00 per day in an amount not to exceed \$37,700.00 for the provision of a two person crew and leaf vacuuming equipment for the Township leaf program.

WHEREAS, funds are available from the Clean Communities Grant #G-02-40-304-04 in the amount of \$18,500.00 and through budget line item 2-01-26-775-092 and 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 a contract is hereby ratified and confirmed awarding a contract to Yager Lawn Maintenance at the rate of \$1,450.00 per day in an amount not to exceed \$37,700.00 for the provision of a two person crew and leaf vacuuming equipment for the Township leaf program.

7. RESOLUTION AUTHORIZING A PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE TO BE SOLD UNDER THE "PUBLIC SALE OPTION"

WHEREAS, N.J.S.A. 33:1-12.14 and Section 113-5 of the Hillsborough Township Code authorizes the Township to issue up to five (5) Plenary Retail Distribution Liquor Licenses; and

WHEREAS, the Township has issued a total of three (3) Plenary Retail Distribution Liquor Licenses and two (2) remain available; and

WHEREAS, pursuant to N.J.S.A. 33:1-19.3, the Township desires to offer for public sale to the highest qualified bidder one (1) of the two (2) remaining Plenary Retail Distribution Liquor Licenses for the sale of alcoholic beverages.

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

1. It is hereby authorized that one (1) of the remaining two (2) Plenary Retail Distribution Liquor Licenses be issued.
2. It is hereby determined that one (1) of the remaining two (2) Plenary Retail Distribution Liquor Licenses be sold under the "Public Sale Option" in accordance with the procedures set forth in N.J.S.A. 33:1-19.3 et seq.
3. It is hereby required that all bidders be qualified to have an interest in a Plenary Retail Distribution Liquor License under the standards set forth in the Alcoholic Beverage Control Act, the rules and regulations promulgated thereunder, and all applicable Township ordinances.
4. The Township Committee shall make the award of one (1) of the remaining two (2) Plenary Retail Distribution Liquor Licenses to the highest qualified bidder at a public sale to be conducted by the Township Committee.
5. The Township Clerk shall publish a Public Notice of the proposed issuance of one (1) of the remaining two (2) Plenary Retail Distribution Liquor Licenses, indicating that applications therefore shall be accepted by the Township Committee at the time, date and place specified in the Notice, after which time and date, no further applications shall be accepted.
6. The Public Notice shall also specify that all prospective bidders shall be preliminary qualified on a date at least five (5) business days prior to the opening of bids.
7. The Public Notice shall be published in The Hillsborough Beacon at least two (2) times, which publications shall not be less than one (1) week apart, and none shall be published less than thirty (30) days prior to the time and date specified in the Public Notice as the time and date after which no further applications shall be accepted.
8. The minimum bid price for the Plenary Retail Distribution Liquor License shall be \$350,000.00.

9. Bids shall be made upon the Proposal Form available in the Office of the Township Clerk with the name and address of the bidder on the outside of the sealed envelope.
10. The bid shall contain a deposit in the form of a certified check, bank check, or cashier's check in the amount of ten (10%) percent of the bid price. The successful bidder will be required to close the sale of the Plenary Retail Distribution Liquor License and pay to the Township the balance due for the liquor license within one hundred and eighty (180) days of the award of the bid. This payment shall also be in the form of a certified check, bank check, or cashier's check. The deposit of any bidder deemed to be unqualified shall be returned within seventy-two (72) hours of the determination of lack of qualification. The deposit of any unsuccessful bidder deemed to be qualified shall be returned within seventy-two (72) hours of the award of the license or rejection of all bids as the case may be.
11. All bidders shall submit a separate Certificate of Proof of Compliance stating that the application has been properly completed and that the bidder meets all special conditions or requirements contained in the Public Notice and knows of no reason why the bidder would be disqualified from having an interest in a Plenary Retail Distribution Liquor License in New Jersey. All bidders shall also submit a Source of Funding Affidavit.
12. No bid will be opened from or on behalf of any bidder who does not qualify or has not submitted a Certificate of Proof of Compliance, Source of Funding Affidavit and completed the Alcoholic Beverage Control License Application.
13. The successful bidder shall comply with all applicable statutes, regulations, codes and Township ordinances in locating the license. Should the successful bidder's application be completed without specifying the premises to be licensed, the license issued hereunder shall be a Pocket License and a Place-to-Place transfer shall be required when the location of the premises to be licensed has been determined.
14. The Township reserves the right to reject any and all bids if the highest bid is not accepted.
15. The sale may be postponed or canceled at any time prior to the opening of the bids.
16. The terms and conditions of the sale of the Plenary Retail Distribution Liquor License shall be as set forth in this Resolution and contained in the Public Notice which is attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

8. RESOLUTION AUTHORIZING A PLENARY RETAIL CONSUMPTION LIQUOR LICENSE TO BE SOLD UNDER THE "PUBLIC SALE OPTION"

WHEREAS, N.J.S.A. 33:1-12.14 and Section 113-4 of the Hillsborough Township Code authorizes the Township to issue up to fourteen (14) Plenary Retail Consumption Liquor Licenses; and

WHEREAS, the Township has issued a total of eleven (11) Plenary Retail Consumption Liquor Licenses and three (3) remain available; and

WHEREAS, pursuant to N.J.S.A. 33:1-19.3, the Township desires to offer for public sale to the highest qualified bidder one (1) of the three (3) remaining Plenary Retail Consumption Liquor Licenses for the sale of alcoholic beverages.

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

1. It is hereby authorized that one (1) of the three (3) remaining Plenary Retail Consumption Liquor Licenses be issued.
2. It is hereby determined that one (1) of the three (3) remaining Plenary Retail Consumption Liquor Licenses be sold under the "Public Sale Option" in accordance with the procedures set forth in N.J.S.A. 33:1-19.3 et seq.
3. It is hereby required that all bidders be qualified to have an interest in a Plenary Retail Consumption Liquor

License under the standards set forth in the Alcoholic Beverage Control Act, the rules and regulations promulgated thereunder, and all applicable Township ordinances.

4. The Township Committee shall make the award of one (1) of the three (3) remaining Plenary Retail Consumption Liquor Licenses to the highest qualified bidder at a public sale to be conducted by the Township Committee.
5. The Township Clerk shall publish a Public Notice of the proposed issuance of one (1) of the three (3) remaining Plenary Retail Consumption Liquor Licenses, indicating that applications therefore shall be accepted by the Township Committee at the time, date and place specified in the Notice, after which time and date, no further applications shall be accepted.
6. The Public Notice shall also specify that all prospective bidders shall be preliminary qualified on a date at least five (5) business days prior to the opening of bids.
7. The Public Notice shall be published in The Hillsborough Beacon at least two (2) times, which publications shall not be less than one (1) week apart, and none shall be published less than thirty (30) days prior to the time and date specified in the Public Notice as the time and date after which no further applications shall be accepted.
8. The minimum bid price for the Plenary Retail Consumption Liquor License shall be \$350,000.00.
9. Bids shall be made upon the Proposal Form available in the Office of the Township Clerk with the name and address of the bidder on the outside of the sealed envelope.
10. The bid shall contain a deposit in the form of a certified check, bank check, or cashier's check in the amount of ten (10%) percent of the bid price. The successful bidder will be required to close the sale of the Plenary Retail Consumption Liquor License and pay to the Township the balance due for the liquor license within one hundred and eighty (180) days of the award of the bid. This payment shall also be in the form of a certified check, bank check, or cashier's check. The deposit of any bidder deemed to be unqualified shall be returned within seventy-two (72) hours of the determination of lack of qualification. The deposit of any unsuccessful bidder deemed to be qualified shall be returned within seventy-two (72) hours of the award of the license or rejection of all bids as the case may be.
11. All bidders shall submit a separate Certificate of Proof of Compliance stating that the application has been properly completed and that the bidder meets all special conditions or requirements contained in the Public Notice and knows of no reason why the bidder would be disqualified from having an interest in a Plenary Retail Consumption Liquor License in New Jersey. All bidders shall also submit a Source of Funding Affidavit.
12. No bid will be opened from or on behalf of any bidder who does not qualify or has not submitted a Certificate of Proof of Compliance, Source of Funding Affidavit and completed the Alcoholic Beverage Control License Application.
13. The successful bidder shall comply with all applicable statutes, regulations, codes and Township ordinances in locating the license. Should the successful bidder's application be completed without specifying the premises to be licensed, the license issued hereunder shall be a Pocket License and a Place-to-Place transfer shall be required when the location of the premises to be licensed has been determined.
14. The Township reserves the right to reject any and all bids if the highest bid is not accepted.
15. The sale may be postponed or canceled at any time prior to the opening of the bids.
16. The terms and conditions of the sale of the Plenary Retail Consumption Liquor License shall be as set forth in this Resolution and contained in the Public Notice which is attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

9. RESOLUTION AWARDED A CONTRACT TO TALON DRILLING FOR CAPPING OFF THE ABANDONED WELLS AT 21 EAST MOUNTAIN ROAD

WHEREAS, the Director of Environmental Programs has determined there is a need to cap off the two (2) abandoned wells located at 21 East Mountain Road; and

WHEREAS, the Township of Hillsborough solicited quotes and received three (3) responses as follows:

Talon Drilling Company	\$4,900.00
Uni-Tech Drilling Co. Inc.	\$6,085.00
Joseph H. Liedl & Sons Inc.	No Quote

WHEREAS, the Director of Environmental Programs and the Qualified Purchasing Agent recommend the award of a contract to Talon Drilling Company in the amount of \$4,900.00; and

WHEREAS, funds are available through Capital line item C-04-55-417-960 and 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 a contract is hereby awarded to Talong Drilling Company for capping off the two (2) abandoned wells located at 21 East Mountain Road in an amount not to exceed \$4,900.00.

10. RESOLUTION AUTHORIZING PURCHASE OF RECYCLING RECEPTACLES FOR TOWNSHIP PARKS THROUGH NEW JERSEY STATE CONTRACT

WHEREAS, the Director of Parks has requested authorization for the purchase of recycling receptacles for the Township Parks; and

WHEREAS, PlayPower LT Framington will provide these recycling receptacles through New Jersey State Contract #18-FLEET-00285 in an amount not to exceed \$18,117.19; and

WHEREAS, funds are available through the Clean Communities Grant and have been certified as such by the Chief Finance Officer through Account #G-02-40-304-304.

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 recycling receptacles for Township Parks through the New Jersey State Contract #18-FLEET-00285 in an amount not to exceed \$18,117.19 is hereby authorized.

11. RESOLUTION AUTHORIZING TRANSFER OF FUNDS FROM PLANNING/BOARD OF ADJUSTMENT ESCROW ACCOUNTS TO THE TREASURER'S ACCOUNT

WHEREAS, the Township Planner indicates review work has been completed for the indicated projects and recommends funds be transferred from the Planning/Board of Adjustment 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 Planning/Board of Adjustment Escrow Accounts into the Treasurer's Account.

Application Name	Application #	Escrow Name	Amount
0 New Centre, LLC	BA-20-11 (2022)	MURRAYPL	\$ 45.58
303 Amwell LLC (JMJ4 ABEEL LLC)	21-PB-17-MSPV	303AMWELPL	\$ 102.88
Bilkoo Construction, Inc.	BA-19-21 (2022)	BILKOOPL	\$ 75.97
Bryson, Jennifer (PRL)	22-PB-17-S	BRYSONPL	\$ 821.25
Cyzner, Irv	BA-21-20	CYZNERPB	\$ 136.75
Homestead 279 LLC	22-PB-05-S/MSPV	HOME279PL	\$ 955.80
Homestead Road LLC	22-PB-25-MS/MSP(V)	HOMEROADPL	\$ 265.50

Neves, Milena & Gamache, Scott	BA-22-14	NEVESPL	\$	30.39
Walko Automotive	BA-22-02	WALKOANDPL	\$	75.97
Weston RD, LLC	22-PB-03-MSPV	WESTONRDPL	\$	345.15
TOTAL TRANSFER			\$	2,855.24

12. RESOLUTION AUTHORIZING RELEASE OF DEVELOPMENT REVIEW ESCROW TO GOODWILL INDUSTRIES FOR APPLICATION BA-23-02

WHEREAS, Goodwill Industries posted a Development Review Escrow with the Township for Application BA-23-02; and

WHEREAS, Goodwill Industries subsequently withdrew the Application; and

WHEREAS, the Hillsborough Township Planning Director recommends the release to Goodwill Industries of the remaining \$1,712.50 development review escrow funds.

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

13. RESOLUTION AMENDING 2023 HILLSBOROUGH MILLSTONE MUNICIPAL ALLIANCE APPOINTMENTS

WHEREAS, the Hillsborough Township Mayor hereby amends the following appointment to the Hillsborough Millstone Municipal Alliance:

Licia Gaber-Baylis unexpired term 12/31/2023

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the above actions are hereby approved.

14. RESOLUTION ENDORSING THE AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN (HEFSP) TO THE TOWNSHIP OF HILLSBOROUGH'S MASTER PLAN PREVIOUSLY ADOPTED BY THE TOWNSHIP PLANNING BOARD

WHEREAS, by a Resolution dated April 13, 2023 the Planning Board of the Township of Hillsborough (hereinafter referred to as the "Board") adopted an Amended Housing Element and Fair Share Plan to the Township's Master Plan prepared by Jennifer C. Beahm, PP, AICP, of Leon S. Avakian, Inc., Consulting Engineers, who serves as the Township's Consulting Planner; and,

WHEREAS, the Township Committee agrees with the Board's finding that the Amended Housing Element and Fair Share Plan (HEFSP) complies with N.J.S.A. 40:55D-28b(3) and N.J.S.A. 52:27D-310 in that it is designed to achieve the goal of providing the realistic development of affordable housing to meet present and prospective housing needs, with particular attention to low and moderate income housing; and,

WHEREAS, the proposed Amended Housing Element and Fair Share Plan (HEFSP) further contains an occupancy preference for affordable housing to low to moderate income veterans who served in time of war or other emergency in accordance with N.J.S.A. 52:27D-311j, which the Township Committee further agrees with; and,

WHEREAS, the Township Committee further agrees with the Board's determination that the Amended Housing Element and Fair Share Plan (HEFSP) is consistent with the goals and objectives of the Township of Hillsborough's Master Plan and that adoption and implementation of the Amended Housing Element and Fair Share Plan (HEFSP) is in the public interest and will protect public health and safety and promote the general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Township Committee hereby approves and endorses the Amended Housing Element and Fair Share Plan (HEFSP) that has been adopted by the Board and the Township shall seek any and all approvals as necessary to effectuate the Amended Housing Element and Fair Share Plan (HEFSP).

15. RESOLUTION AUTHORIZING THE REPLACEMENT AND INSTALLATION OF SWITCHES AND CABLES IN THE MUNICIPAL COMPLEX BY E-PLUS TECHNOLOGY INC.

WHEREAS, the Township's switches and cables need to be replaced to accommodate necessary technology upgrades; and

WHEREAS, e-Plus Technologies Inc., will provide the replacement and installation of switches and cables through New Jersey State Contract #20-TELE-01506 in an amount not to exceed \$51,600.07; 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 switches and cables by e-Plus Technologies Inc., through New Jersey State Contract #20-TELE-01506 in an amount not to exceed \$51,600.07 is hereby authorized.

Upon a motion by Deputy Mayor Robert Britting, seconded by Committeeman Jim Ruh, the consent agenda was unanimously approved upon the call of the roll.

Meryl Bisberg, 4 Hickory Hill Lane, Hillsborough asked for clarification on what the Stormwater Outfalls are and in what area they cover in Resolution #2. In regards to Resolution #14, she inquired if the report was replacing the previous Master Plan submitted.

Mayor Lipani explained Stormwater Outfall and that it covers all of Hillsborough. In regards to Resolution #14, Mayor Lipani responded that the report is only one part of the plan that is amended.

Jo O'Connell, 20 White Meadow Road, Hillsborough, inquired if the Stormwater Outfalls are on public or private land. She further inquired about how retention basins can be made more efficient.

Mayor Lipani explained that the Township is required to maintain any type of property, public or private. Mayor Lipani also responded that retention basins are not included in this study.

PUBLIC HEARINGS

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.

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 Committeeman John Ciccarelli, seconded by Committeeman Doug Tomson, to open the public hearing on 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. the motion was unanimously approved upon the call of the roll.

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

Amanda Curley, from Day Pitney, 1 Jefferson Rd, Parsippany, representing Homestead Road, LLC, commented that Day Pitney opposed the proposed changes to the zone.

Bill Martin, 237 Hillsborough Road, Hillsborough, commented that he has done a lot of research on the TECD zone and expressed his concern over such a zone in Hillsborough and the vague language used within the ordinance.

Rich Gahrman, 53 Winding Way, Hillsborough, commented on the distinction of warehousing permitted.

John Shockley, 89 Homestead Road, Hillsborough, commented on the warehousing effect on the entire town and suggested a possible referendum that would include the entire Hillsborough population.

Jo O'Connell White Meadow Rd, Hillsborough, asked for clarification on light industrial and TECD zones.

Committeeman Doug Tomson responded with what defines a light industrial versus TECD zone and some distinctions between the two.

Bill Martin, Hillsborough Road, Hillsborough, disputed Mr. Shockley's previous comment regarding the number of residents who signed the petition against warehouses and commented that there were over 700 residents and not 40-50.

Meryl Bisberg, 4 Hickory Hill Rd, Hillsborough, commented on the TECD and Light industrial zones as both standards are set up for warehousing in the zone. She also commented on the presentation made 6 months ago at the TC meeting and questioned the status and progress of the plan presented.

Mayor Lipani responded that the status is part of the Master Plan Review currently in process and that changes will be made on a realistic basis based on the recommendations of the state.

Committeeman Tomson commented that the state does not want to give towns control and recommended and encouraged residents to contact their state representatives.

Jo O'Connell, 20 White Meadow Road, Hillsborough, inquired as to who residents should contact besides the Governor and the DEP.

Committeeman Tomson responded that the Commissioners' office would be the point of contact and explained the process.

Upon the motion to close and adopt, Mayor Lipani stated that this ordinance does not affect any applications in process or being reviewed at this time.

INTRODUCTION OF NEW ORDINANCES

None

CLAIMS LIST

1. 2023-07

Mayor Lipani asked to approve 2023-07.

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Jim Ruh, 2023-07, was approved upon the call of the roll.

NEW BUSINESS

None at this time.

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

EXECUTIVE SESSION

ADJOURNMENT

Upon a motion by Committeeman Doug Tomson, seconded by Committeeman Jim Ruh, the meeting duly adjourned at 8:58 pm. Said motion was unanimously carried upon voice vote.

Attested:



Pamela Borek
Township Clerk