

Minutes of the May 14, 2024 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 May 14, 2024.

CALL OF THE ROLL

Upon call of the roll, the following Committee members were recorded present: Mayor Robert Britting, Jr. , Deputy Mayor John Ciccarelli, Committeewoman Samantha Hand, Committeeman Shawn Lipani and Committeewoman Catherine Payne. Also in attendance were Township Administrator Anthony Ferrera, Township Clerk Sarah Brake and Township Attorney William Willard.

SALUTE TO THE FLAG

MAYOR STATES

APPROVAL OF MINUTES

1. REGULAR MEETING MINUTES MARCH 12, 2024

Upon a motion by Deputy Mayor John Ciccarelli, seconded by Committeeman Shawn Lipani, the Regular Meeting Minutes of March 12, 2024 were approved upon the call of the roll.

2. REGULAR MEETING MINUTES MARCH 26, 2024

Upon a motion by Committeeman Shawn Lipani, seconded by Committeewoman Samantha Hand, the Regular Meeting Minutes of March 26, 2024 were approved upon the call of the roll.

3. REGULAR MEETING MINUTES APRIL 9, 2023

Upon a motion by Committeewoman Samantha Hand, seconded by Committeewoman Catherine Payne, the Regular Meeting Minutes of April 9, 2023 was approved upon the call of the roll.

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

Committeewoman Hand

Committeewoman Hand wished everyone a Happy Mother's Day.

Committeewoman Hand reported that the Hillsborough Health Department still has complimentary radon test kits available to residents.

Committeewoman Hand invited all Hillsborough Military Service personnel to participate in the 'Salute to Military Service' Breakfast and to lead Hillsborough's Memorial Day Parade and Commemoration Program on May 25th.

Committeewoman Hand stated that summer camp registration is now open. Register for camp and many other spring and summer activities at the Recreation Department webpage.

Committeeman Lipani

Committeeman Lipani wished everyone a Happy Mother's Day.

Committeeman Lipani advised that May 14th is the last day to register to vote for the primary election. Interested parties can register to vote online at the New Jersey Division of Elections. Primary Election Day is Tuesday, June 4th. In-person early voting begins at the Municipal Building on May 29, 2024, and will last until June 2, 2024.

Committeeman Lipani reported that the Mayor's Wellness Campaign and Empower Somerset are collaborating to host Teen Speak, a two-session event, on June 12th and June 14th from 6 pm to 8 pm.

Committeeman Lipani relayed that farmland applications will be mailed from the Assessor's office in June to all qualified farmland owners. The due date is August 1st.

Committeeman Lipani announced that registration is now open for the next networking event on June 28th from 6-8 PM at the Landing in Hillsborough.

Committeeman Lipani informed residents that National Mental Health Awareness Month was established in 1949 to raise awareness about the importance of mental health and to stop the stigma associated with mental health. Hillsborough Township and the Hillsborough School District have been designated as Stigma-Free Communities.

Committeeman Lipani reported that he joined residents and members of the Hillsborough Millstone Municipal Alliance/BoroAWARE, BoroSAFE, the Hillsborough Education Association, Deputy Mayor John Ciccarelli, and Committeewoman Samantha Hand at the Annual Hope for Tomorrow event.

Committeewoman Payne

Committeewoman Payne thanked the Girl Scouts for the Pledge of Allegiance.

Committeewoman Payne announced that Hillsborough Police are collecting clean, gently used, solid-color sheets and blankets to keep in patrol cars for use in emergencies.

Committeewoman Payne reported that members of the Hillsborough Police Department will be on hand to pour coffee and answer questions at Starbucks on May 16th between 4 and 6 pm.

Committeewoman Payne relayed that National Police Week offers honor, remembrance, and peer support, while allowing law enforcement, survivors, and citizens to gather and pay homage to those who gave their lives in the line of duty.

Committeewoman Payne advised that Hillsborough Police will be hosting their second annual National Night Out on August 6th, 2024, from 6 to 8 pm at Mountain View Park.

Deputy Mayor Ciccarelli

Deputy Mayor Ciccarelli wished everyone a Happy Mother's Day.

Deputy Mayor Ciccarelli reported that the NJ Department of Community Affairs recently adopted several changes to the Uniform Construction Code Regulations. As of May 13th written notifications are now the only way to request an inspection by all Building Departments in New Jersey. In order for Hillsborough Permit holders to comply with this new change, inspection requests may be submitted through the SDL Portal. For those who do not use the SDL Portal, the Building Department has created a, "Construction Permit Inspection Request," form to complete, and submit to a dedicated email address, or drop off in person.

Deputy Mayor Ciccarelli announced that Hillsborough Township Construction Official, John Fieldler, has been named Building Inspector of the year by the New Jersey Building Officials Association. John has been working with the Township as a Construction Official since 2005. Hillsborough Township congratulates John on his commitment to the profession of Code Enforcement and service to the public.

Deputy Mayor Ciccarelli reminded residents that drainage easements are to allow water flow. Sometimes, the easement is due to a flood zone or wetlands and the area is to remain undisturbed. A drainage easement should never be blocked by fences, structures, or yard debris to permit adequate drainage. The New Jersey Department of Environmental Protection has jurisdiction over conservation easements and residents can receive a violation from the NJDEP if they disturb this area that is within wetlands or flood zones.

Deputy Mayor Ciccarelli stated that the Planning & Zoning Department in conjunction with the Township Open Space Committee and Agricultural Advisory Committee has developed the Open Space or Farmland Preservation Expression of Interest Form as a way for property owners to communicate their interest in selling or donating land for open space or to indicate their interest to preserve their farmland. Once this form is completed it will be reviewed by Township Staff and shared with appropriate Committee(s) for further review.

Deputy Mayor Ciccarelli asked residents to be mindful of Public Works Department staff who work in the roadway completing road repairs, hazardous tree removals, and mowing lawns. Such work zones are marked by signs, cones, drums, barriers, pavement markings, and work vehicles.

Deputy Mayor Ciccarelli relayed that the Sustainable Hillsborough Steering Committee's Arts in the Parks program is off to a great start with the painting of sidewalk panels at Ann Van Middlesworth Park.

Deputy Mayor Ciccarelli stated that Hillsborough's Sustainability Office and Committee members attended Sustainable Jersey's annual Summit on May 3rd which gave tips on advancing sustainability in communities across the state.

Deputy Mayor Ciccarelli reported that the Municipal Utilities Authority would like to inform residents that pouring grease, cooking oil, or animal fat down the drain is unsafe. Proper disposal helps prevent costly repairs and keeps your plumbing system functioning properly.

Mayor Britting

Mayor Britting announced that the Annual Green Living and Wellness Fair will be held on Saturday, June 1st, in conjunction with the Hillsborough YMCA HOP 5K.

Mayor Britting advised that participating local businesses will have informative presentations to raise awareness of the many facets of living a healthy lifestyle, including making sound nutritional choices, long-term life planning decisions, and the benefits of a green lifestyle. There will also be health screenings and interactive dance and exercise demonstrations.

Mayor Britting reported that the annual Hillsborough Family Fun Day and Fireworks will be held on Saturday, June 29th.

Mayor Britting stated he and Deputy Mayor Ciccarelli assisted some high school students cleaning up the highways in support of Adopt - a - Highway, a state initiative.

Mayor Britting announced the Township was on line at News 12 visiting the municipal building, businesses, and locations in town promoting the local economy.

Mayor Britting relayed updates on the Route 206 construction and the negative impact it has had on local business, Guillaume's Music Academy.

Mayor Britting advised that the OPRA bill has already been voted on in the assembly and is now with the Governor. The Township supports open and transparent government and public access to records.

PROCLAMATIONS / APPOINTMENTS

1. KATHLEEN O' BRIEN - GOLD AWARD

WHEREAS, Kathleen O'Brien, a senior at Hillsborough High School, is a member of Girl Scout Troop 60143 and earned her Gold Award; and

WHEREAS, the Hillsborough Township Committee recognizes the many hours Kathleen devoted towards earning her Girl Scout Gold Award, working with diligence in order to achieve this highly coveted recognition; and

WHEREAS, Kathleen's Gold Award project focused on emergency preparedness in the community. She had over 120 people stop by her table at Hillsborough's first National Night Out and her September workshops held at the Hillsborough Library. Kathleen subsidized the full CPR/First Aid certification for 25 people and hosted a Hands-Only CPR in partnership with the YMCA. The project took over 100 hours to complete with the assistance of the Offices of Emergency Management, Fire, Police, the Somerset County Library, and the Hillsborough YMCA; and **WHEREAS**, Kathleen earned the Service to Girl Scouting Bar, Community Service Bar, and the Leadership Torch; and

WHEREAS, Kathleen is a member of the Latin Honor Society and participates in soccer and softball; and

WHEREAS, Kathleen serves as an example to the youth of Hillsborough Township through her achievements, leadership, and community service. We are very proud that Kathleen is a member of our community.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby recognize and extend our sincere congratulations to Kathleen O'Brien for having earned her Girl Scout Gold Award, an honor for both her and for those who have guided her. We wish Kathleen all the best in her future endeavors.

2. GOVERNOR'S EDUCATOR OF THE YEAR: MARIA ATLAS, LISA BURGESS, ERICA CLOUGH, TAYSHA GATEAU-BARRERA, ALLISON GELISIMO, SHAWN GUZY, NEHAL HAMMAD, MARY KESSLER, SHAWN LAWN, SUMANA MURALI, BERNADETTE MEHRTENS, JENNIFER PURITZ, ANDREA SASS

WHEREAS, Maria Atlas, a K-4 resource literacy teacher and Wilson Dyslexia Specialist, has the honor of being named Triangle Elementary School's Governor's Educator of the Year for the 2023-2024 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Maria Atlas has been a member of the Hillsborough School District faculty for 24 years; and

WHEREAS, Maria Atlas, has a Master of Science in Reading, is a passionate supporter of all things literacy and is a fierce advocate for the academic and social emotional needs of her students; and

WHEREAS, Triangle Elementary School proudly names Maria Atlas as their Teacher of the Year.

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

WHEREAS, Lisa Burgess, an instructional assistant has the honor of being named Amsterdam Elementary School's Governor's Educator of the Year for the 2023-2024 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Lisa Burgess has been a member of the Hillsborough School District faculty for 15 years; and

WHEREAS, Lisa Burgess inspires students of all backgrounds and abilities to learn by creating an inclusive and supportive learning environment; and

WHEREAS, Amsterdam Elementary School proudly names Lisa Burgess as their Educational Services Professional of the Year.

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

WHEREAS, Erica Clough, an instructional assistant, has the honor of being named Auten Road Intermediate School's Governor's Educator of the Year for the 2023-2024 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Erica Clough has been a member of the Hillsborough School District faculty for seven years; and
WHEREAS, Erica Clough works closely with teachers and students in self-contained classrooms, as a one-to-one aide, and in pull-out resource replacement and general education within class resources as a shared classroom aide providing academic support to her students; and

WHEREAS, Auten Road Intermediate School proudly names Erica Clough as their Educational Services Professional of the Year.

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

WHEREAS, Taysha Gateau-Barrera, a Library Media Specialist, has the honor of being named Hillsborough Middle School's Governor's Educator of the Year for the 2023-2024 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Taysha Gateau-Barrera has been a member of the Hillsborough School District faculty for 22 years; and

WHEREAS, Taysha Gateau-Barrera transformed library spaces into dynamic hubs of learning and collaboration and leads a student volunteer program. She volunteered in mentoring pre and in-service librarians and participated in the Hillsborough Middle School Climate Committee, was Co-Chair of the R.E.B.E.L. peer leadership group and the District Mentoring Committee; and

WHEREAS, Hillsborough Middle School proudly names Taysha Gateau-Barrera as their Educational Support Professional of the Year.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, further commend Taysha Gateau-Barrera for being recognized as Hillsborough Middle School's Educational Support Professional of the Year and we thank her for all her work and dedication to Hillsborough's youth.

WHEREAS, Allison Gelsomino, a school counselor, has the honor of being named Woodfern Elementary School's Governor's Educator of the Year for the 2023-2024 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Allison Gelsomino has been a member of the Hillsborough School District faculty for seven years; and

WHEREAS, Allison Gelsomino provides counseling services and initiated a character education program and positive school-wide behavior system; and

WHEREAS, Allison Gelsomino recently earned her professional license in marriage and family therapy and is a National Certified Counselor; and

WHEREAS, Woodfern Elementary School proudly names Allison Gelsomino as their Educational Services Professional of the Year.

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

WHEREAS, Shawna Guzy, a kindergarten teacher, has the honor of being named Hillsborough Elementary School's Governor's Educator of the Year for the 2023-2024 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Shawna Guzy has been a member of the Hillsborough School District faculty for 26 years; and

WHEREAS, Shawna Guzy has taught kindergarten, the CAP program, and the Title 1 Program for 26 years. She has written curriculum for all subject areas of kindergarten; and

WHEREAS, Shawna Guzy has mentored many new teachers and teachers new to the kindergarten grade level. She served on many committees and volunteered at many Home and School Association events; and

WHEREAS, Hillsborough Elementary School proudly names Shawna Guzy as their Teacher of the Year.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, further commend Shawna Guzy 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.

WHEREAS, Nehal Hammad, an instructional assistant, has the honor of being named Sunnymeade Elementary School's Governor's Educator of the Year for the 2023-2024 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Nehal Hammad has been a member of the Hillsborough School District faculty for seven years; and

WHEREAS, Nehal Hammad, works with children ages five to nine-year-olds assisting in small group intervention for math, reading, and writing skills requiring one-to-one help; and

WHEREAS, Sunnymeade Elementary School proudly names Nehal Hammad as their Educational Services Professional of the Year.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, further commend Nehal Hammad 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.

WHEREAS, Mary Kessler, an instructional assistant and C-Print Captionist, has the honor of being named Hillsborough High School's Governor's Educator of the Year for the 2023-2024 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Mary Kessler has been a member of the Hillsborough School District faculty for 15 years; and

WHEREAS, Mary Kessler, as a C-Print Captionist, allows for increased accessibility of information in the classroom for deaf and hard-of-hearing students; and

WHEREAS, Hillsborough High School proudly names Mary Kessler as their Educational Services Professional of the Year.

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

WHEREAS, Shawn Lawn, a sixth grade Social Studies teacher, has the honor of being named Auten Road Intermediate School's Governor's Educator of the Year for the 2023-2024 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Shawn Lawn has been a member of the Hillsborough School District faculty for 26 years; and

WHEREAS, Shawn Lawn organized several congressman visits to the classroom in the past five years in coordination with the study of the US Government. She co-created and co-led the Auten Road Intermediate School Inclusion Alliance and assisted in the planning and execution of the annual Heritage Festival; and

WHEREAS, Shawn Lawn became certified in Yoga 4 Classrooms, Mindfulness in Schools and children's yoga, and applies this knowledge in her classroom. She also has a graduate degree in counseling; and

WHEREAS, Auten Road Intermediate School proudly names Shawn Lawn as their Teacher of the Year.

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

WHEREAS, Sumana Murali, a third-grade teacher, has the honor of being named Sunnymeade Elementary School's Governor's Educator of the Year for the 2023-2024 school year because of her dedication and service to the Hillsborough School District; and

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

WHEREAS, Sumana Murali, the first Indian American hired at Sunnymeade Elementary School, is a mentor for new teachers and runs a mindfulness group at the school for staff; and

WHEREAS, Sunnymeade Elementary School proudly names Sumana Murali as their Teacher of the Year.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, further commend Sumana Murali 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.

WHEREAS, Bernadette Mehrtens, an instructional assistant for third and fourth graders, has the honor of being named Hillsborough Elementary School's Governor's Educator of the Year for the 2023-2024 school year because

of her dedication and service to the Hillsborough School District; and

WHEREAS, Bernadette Mehrstens has been a member of the Hillsborough School District faculty for 12 years; and

WHEREAS, Bernadette Mehrstens provided instructional assistance to third and fourth graders in math and literacy resources, related arts classes, science and social studies, and is in charge of morning bus duty. Bernadette Mehrstens participates in Girls on the Run, back-to-school nights, many school sponsored events and taught CCD at Mary Mother of God Church for 20 years; and

WHEREAS, Hillsborough Elementary School proudly names Bernadette Mehrstens as their Educational Services Professional of the Year.

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

WHEREAS, Jennifer Puritz, a Physical Education and Health teacher, has the honor of being named Hillsborough Middle School's Governor's Educator of the Year for the 2023-2024 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Jennifer Puritz has been a member of the Hillsborough School District faculty for 22 years; and

WHEREAS, Jennifer Puritz taught physical education and health to eighth graders for 22 years, creating a safe and comfortable environment for activities and the journey to young adulthood; and

WHEREAS, Jennifer Puritz is the co-advisor to the overnight trip to Gettysburg/ Hershey Park and part of the School Wellness Committee; and

WHEREAS, Hillsborough Middle School proudly names Jennifer Puritz as their Teacher of the Year.

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

WHEREAS, Andrea Sass, a second-grade teacher, has the honor of being named Woodfern Elementary School's Governor's Educator of the Year for the 2023-2024 school year because of her dedication and service to the Hillsborough School District; and

WHEREAS, Andrea Sass has been a member of the Hillsborough School District faculty for eight years; and

WHEREAS, Andrea Sass organizes Mystery Readers in her classroom wherein parents, teachers, and people from the community come into the classroom and reads a book to the students. She volunteers at all the Woodfern fundraisers, the science fair and family night; and

WHEREAS, Woodfern Elementary School proudly names Andrea Sass as their Teacher of the Year.

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

PRESENTATIONS

1. COMMUNITY EQUITY AND DIVERSITY PROFILE PRESENTED BY THE HILLSBOROUGH TOWNSHIP SUSTAINABILITY OFFICE

2. PRESENTATION OF PORTRAITS AND ARTISTS RECOGNITION

CONSENT

1. RESOLUTION PROMOTING MICHELE DIBELLO TO ASSISTANT SUPERVISOR OF PUBLIC WORKS IN THE HILLSBOROUGH TOWNSHIP DEPARTMENT OF PUBLIC WORKS

WHEREAS, there exists a need for a full-time Assistant Supervisor of Public Works to manage the Administrative Support Staff and Operations in the Township of Hillsborough Department of Public Works; and

WHEREAS, the union representatives have agreed with the assessment to move Michele DiBello to management, so she could perform all the necessary duties of a manager; and

WHEREAS, the Director of Public Works recommends the promotion of Michele DiBello to full-time Assistant Supervisor of Public Works effective June 1, 2024, at an annual salary of \$55,000.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Director of Public Works is authorized to promote Michele DiBello to the position of full-time Assistant Supervisor of Public Works effective June 1, 2024, at an annual salary of \$55,000.

2. RESOLUTION AUTHORIZING THE HIRING OF VIKTORIA MACIAGA TO THE POSITION OF POLICE OPERATIONS ASSISTANT

WHEREAS, there will be a need for a Police Operations Assistant due to the promotion of the employee currently in this role; and

WHEREAS, Viktoria Maciaga currently holds the position of Records Clerk in the Hillsborough Police Department and expressed interest in and interviewed for the Police Operations Assistant position; and

WHEREAS, the Chief of Police recommends the hiring of Viktoria Maciaga for the Police Operations Assistant position at an annual salary of \$50,000.00, effective July 1, 2024.

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 Chief of the Police is hereby authorized and approved.

3. RESOLUTION ESTABLISHING THE ANNUAL SALARIES AND WAGES OF MUNICIPAL EMPLOYEES

BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the annual salaries and wages of the following employees are to be adjusted as listed below with an effective date of June 1, 2024:

Employee	Department Position	New Base Pay
Cecilia Rotz	Administration-Receptionist	\$20 per hour
Deborah Nisenson	Administration-Office Assistant	\$20.50 per hour
Diana Bolan	Floater	\$17.50 per hour
Gloria Padgett	Social Service-Senior Wellness Instructor	\$30 per hour
Harriet Fenster-Gude	Human Resources Manager	\$82,313 annually
Jeanne Mazzucco	Floater	\$18 per hour
Jennifer Roberts	Social Services-Office Assistant	\$18 per hour
Jill Lerman	Floater	\$18 per hour
Justin Rotolo	Public Works-Office Assistant	\$18 per hour
Linda Cummings	Floater	\$18 per hour
Michelle Drab	Administration-Office Assistant	\$19 per hour
Paul Scaltro	Floater	\$18 per hour

Richard Granatir	Technology IT Director	\$112,888 annually
Robyn Bittle Abramo	Recording Secretary	\$18 per hour, not to exceed 400 hours annually

4. RESOLUTION CREATING A POLICY TO INCORPORATE AGE-FRIENDLY DESIGN INTO MUNICIPAL PLANS

WHEREAS, the Township of Hillsborough remains committed to providing a high quality of life for its aging population; and

WHEREAS, the Township of Hillsborough provides and supports a variety of services and programs to its senior citizen community and enhancements to the built environment and transportation options can support increased utilization of and access to these resources; and

WHEREAS, the population aged 65 and older in New Jersey has grown by almost 25% between 2010 and 2019, and by 32.5% since 2000. The population between the ages of 55 and 64 has grown even more dramatically, increasing by 62.3% between 2000 and 2019 as the bulk of the Baby Boomers reached age 55. Over the next decade, New Jersey's population aged 65 and older will continue to grow as the younger Boomers reach retirement age; and

WHEREAS, older people interact uniquely with the built environment and many communities are not designed for all ages and abilities. Issues particularly affecting older adults include insufficient types of housing for people to downsize into, poor transportation options and/or walkability for those unable or not desiring to drive a car, and lack of opportunities and spaces for social engagement or chance encounters; and

WHEREAS, if the need for certain amenities or housing options are not met, older residents are compelled to move out of their town or state if they have the means, or they are put at risk for social isolation or poorer quality of life living in places that do not support livability; and

WHEREAS, a community can enhance its age-friendly characteristics by promoting: options for access other than automobiles; an easily walkable mix of uses, physical and social activities; key amenities such as parks, benches and safe streets; and a mix of affordable housing options; and

WHEREAS, implementing community design factors that enable older residents to achieve home security, independent mobility, and meaningful social engagement also extends those and other benefits to everyone in the community. Additionally, features that make a community age-friendly also extend environmental benefits by encouraging compact, pedestrian-oriented development patterns and urban green spaces; and

WHEREAS, the Township of Hillsborough, New Jersey, seeks to become more age-friendly; and is committed to incorporating age-friendly design in the planning processes and community design; and

WHEREAS, the Township of Hillsborough is interested in developing a comprehensive approach to promoting land use that is age-friendly and ensures community design for all ages; and

WHEREAS, a comprehensive approach includes:

1. An assessment of the Township of Hillsborough land-use plans, regulations, and physical characteristics to evaluate the extent to which the community meets the needs of all its residents including older adults; and
2. Based on the findings of the land-use assessment development of recommendations for strategies and actions Township of Hillsborough could undertake to enhance its age-friendly characteristics; and

3. Prioritize the strategies and actions into an implementation plan that includes the findings of the land use assessment; strategies and actions and next steps to enable older populations to remain active, healthy, engaged, and capable of living in the Township of Hillsborough.

WHEREAS, the Municipal Land Use Law (NJSA 40:55D-1 et seq) empowers municipalities including the Township of Hillsborough, New Jersey as primarily responsible for decisions on how its land is used through its master plan; land use and zoning ordinances and site plan and subdivision review; and

WHEREAS, the Township of Hillsborough seeks to form a representative committee to undertake an age-friendly assessment and implementation plan.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that we resolve to take the following steps with regard to our municipal land-use decisions with the intent of making Hillsborough Township a community designed for all ages. It is our intent to include the principles outlined below in the next master plan revision and reexamination report; in redevelopment and revitalization or economic development plans, and in site plan review and to update our land-use zoning, natural resource protection, and other ordinances accordingly.

1. **Mix of Housing** – We pledge to support construction and rehabilitation of homes that meet the needs of households of all sizes and income levels.
2. **Seating, Lighting and Shade** – We pledge to ensure pedestrian routes to key designations have sufficient public street furniture in and along the way, providing adequate seating, shade and lighting.
3. **Traffic Light Timing** – We pledge to set traffic light timing to accommodate pedestrians of various abilities, and the pedestrian clues are clearly visible and audible for older residents.
4. **Parking** – We pledge to seek ways to improve a sufficient buffer between pedestrians and moving traffic and along traffic corridors.
5. **Recreation opportunities** – We pledge to promote opportunities to provide residents with walking access to natural areas such as trails, waterways, or forested or undeveloped spaces as well as walking access within a ¼ mile of residential area using safe sidewalks and crossings to a community facility and/or park whose route has adequate seating, shade and lighting.
6. **Traffic calming** - We pledge to promote the development of safe pedestrian spaces for resting in the medians or corners of larger or high-volume street crossings.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that:

1. It agrees to the formation of a municipal age-friendly steering committee to participate in and guide the age-friendly land use assessment and age-friendly implementation plan appointed by the Hillsborough Township Administrator.
2. It authorizes appropriate municipal officials, staff, and consultants to provide the steering committee with maps, data, municipal plans, regulations, and other information necessary to perform the age-friendly land use assessment.
3. It supports active outreach and community engagement to inform the age-friendly land use assessment and implementation plan.

5. APPROVING AND AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWNSHIP OF HILLSBOROUGH AND BRIDGEWAY BEHAVIORAL HEALTH SERVICES TO ESTABLISH JOINT PARTICIPATION IN THE ARRIVE

TOGETHER PROGRAM TO ENHANCE AND SUPPORT RESPONSE TO CERTAIN BEHAVIORAL HEALTH CRISIS CALLS

WHEREAS, pursuant to N.J.S.A. 30:4-27.1, et seq. (“Screening Law”) and N.J.A.C. 10:31-1.1., et seq. (“Screening Regulations”), it is the policy of the State of New Jersey to provide a public mental health system that delivers treatment consistent with a person’s clinical condition, and that screening services be developed as the public mental health system’s entry point in order to provide accessible crisis intervention, evaluation and referral services to persons with mental illness, to offer persons with mental illness clinically appropriate alternatives to inpatient care, and when necessary, to provide a means for involuntary commitment to treatment; and

WHEREAS, the Screening Law provides officers and mental health specialists with legal authority to transport or authorize transport of individuals who are experiencing a behavioral health crisis to an emergency department for a full assessment where appropriate; and

WHEREAS, law enforcement officers may request the assistance of mental health specialists when responding to emergency service calls that relate to behavioral health crises and mental health personnel may request assistance from officers when responding to requests for emergency screening; and

WHEREAS, the Township Committee of the Township of Hillsborough finds that it is in the best interest of the health, safety and welfare of its residents to ensure the safety of every person involved in civilian-law enforcement interactions, while recognizing that many of the negative outcomes that have resulted from such interactions may stem from individuals having underlying behavioral health crises; and

WHEREAS, Bridgeway Behavioral Health Services (“BBHS”) has been designated by the New Jersey Department of Human Services to provide screening and other medical health services in accordance with state law and regulations; and

WHEREAS, BBHS participates in the ARRIVE Together (“Alternative Responses Reduce Instances of Violence and Escalation”) Pilot Program with participating police departments in Somerset County; and

WHEREAS, the Township Committee supports the Hillsborough Police Department entering into the attached Memorandum of Understanding with BBHS to participate in the ARRIVE Together Pilot Program.

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

Section 1. The above recitals are hereby incorporated by reference as though specifically set forth herein below.

Section 2. The Township Committee hereby approves and endorses the Hillsborough Township Police Department’s participation in the ARRIVE Together Program to enhance and support law enforcement and response to certain behavioral health crisis calls.

Section 3. The Township Committee hereby authorizes Township Staff and the Police Chief/Captain to take all necessary steps to enter into the Memorandum of Understanding, substantially consistent with the form of agreement attached hereto, between the Township of Hillsborough Police Department and Bridgeway Behavioral Health Services, 282 East Main Street, Somerville, NJ 08876 for the establishment of a pilot program for the assistance of mental health specialists when responding to emergency service calls that relate to behavioral health crises.

BE IT FURTHER RESOLVED that if any part(s) of this resolution shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this resolution.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately, and that a copy of this resolution shall be filed in the Office of the Township Clerk.

6. RESOLUTION AUTHORIZING THE REIMBURSEMENT OF THE MUNICIPAL PORTION OF PROPERTY TAXES FROM AUGUST 4, 2023 THROUGH DECEMBER 31, 2023 AND A FULL REFUND OF THE TAXES PAID FOR THE FIRST QUARTER OF 2024 FOR A QUALIFIED 100% DISABLED VETERAN

WHEREAS, the Township Committee by Resolution adopted on September 11, 2007 and pursuant to N.J.S.A. 54:4-3.32 authorized a tax exemption from local property taxes for veterans who have suffered a 100% permanent disability resulting from war time service in the United States military; and

WHEREAS, the Township Committee authorized the date for qualification for the municipal portion of the property tax exemption to be the date on which the United States Veterans' Administration determined the 100% service connected disability, however said exemption shall not extend beyond January 1 of the year prior to the date of submission of the application to the Township with all qualifying documents; and

WHEREAS, the Tax Collector has received proof of such information from the Tax Assessor for the following property:

Palmieri, Anthony	Block 205.15 Lot 115	\$6,946.49
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NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that in recognition of the serious and debilitating nature of 100% permanent service connected disabilities suffered by our veterans while serving in war time and in fairness to those disabled veterans, the Chief Finance Officer is authorized, pursuant to N.J.S.A. 54:4-3.32, to reimburse the municipal portion of property taxes paid from August 4, 2023 to December 31, 2023 and a full refund for taxes paid for the first quarter of 2024 to the above referenced property owner.

7. RESOLUTION APPROVING REQUEST FROM THE SOMERSET VALLEY YMCA - HILLSBOROUGH BRANCH TO HOLD THE HILLSBOROUGH HOP 5K IN HILLSBOROUGH TOWNSHIP ON SATURDAY, JUNE 1, 2024

WHEREAS, Somerset Valley YMCA - Hillsborough Branch has requested permission to hold the Hillsborough Hop 5K on Saturday, June 1, 2024, in Hillsborough Township; and

WHEREAS, Somerset Valley YMCA - Hillsborough Branch has produced a certificate of insurance naming the Township of Hillsborough as an insured; and

WHEREAS, the Chief of Police and Hillsborough Township Police Department's Traffic Safety Bureau has determined that the planned route will provide an acceptable level of safety for the runners.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Somerset County YMCA - Hillsborough Branch is hereby authorized to hold a race in Hillsborough Township on June 1, 2024.

Upon a motion by Committeeman Shawn Lipani, seconded by Committeewoman Catherine Payne, the consent agenda was unanimously approved upon the call of the roll.

Township Administrator Anthony Ferrera congratulated Michele DiBello and Viktoria Maciaga on their new promotion and position respectively.

PUBLIC HEARINGS

None

INTRODUCTION OF NEW ORDINANCES

1. 2024-06 AN ORDINANCE GRANTING CONSENT AND PERMISSION TO NEW JERSEY-AMERICAN WATER COMPANY, INC., TO FURNISH WASTEWATER COLLECTION AND CONVEYANCE SERVICE IN A PORTION OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY. FURTHER CONSIDERATION AND A PUBLIC HEARING WILL BE HELD ON JUNE 11, 2024.

WHEREAS, the Township of Hillsborough, County of Somerset, State of New Jersey (“Township”), hereby grants consent and permission to New Jersey-American Water Company, Inc. (“NJAW”), a New Jersey corporation, to furnish wastewater service within a portion of the Township; and

WHEREAS, NJAW is in the process of acquiring the wastewater system (“System”) currently owned and operated by the Borough of Manville (“Manville”) subject to regulatory approvals; and

WHEREAS, Manville is desirous of having NJAW acquire the System; and

WHEREAS, the Manville System currently provides wastewater service to approximately 440 customers located in the Township in the area shown on the map attached hereto as **Schedule A**; and

WHEREAS, these Township residents have historically been customers of the Manville System and following the completion of the acquisition of the Manville System by NJAW, these Township residents will become customers of NJAW; and

WHEREAS, the Township residents who are currently served by the Manville System, and who will continue to be served by said System and become customers of NJAW upon completion of the acquisition will, with approval of the Board of Public Utilities of the State of New Jersey, be subject to the seven-year rate plan provided for in the Agreement of Sale by and between Manville and NJAW; and

WHEREAS, NJAW is a regulated public utility corporation of the State of New Jersey currently providing water service to the Township and seeking the municipal consent of the Township to permit NJAW to provide wastewater collection and conveyance service through the Manville System to a portion of the Township currently served by the Manville System; and

WHEREAS, NJAW has requested the consent of the Township, as required by N.J.S.A. 48:13-10 and N.J.S.A. 48:13-11, to lay its pipes and conduits beneath such public roads, streets, avenues and alleys as it may deem necessary for its corporate purposes, in the area shown on the map attached hereto as **Schedule A**, provided all such pipes shall be laid henceforth at least three feet (3’) below the surface and shall not unnecessarily interfere with public travel or damage public or private property; and

WHEREAS, it is deemed to be in the best interests, health, safety and welfare of the Hillsborough residents and property owners currently serviced by the Manville System to provide this consent; and

WHEREAS, notice of this Ordinance was published in accordance with the requirements of N.J.S.A. 48:3-13 and N.J.S.A. 48:3-14.

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

Section 1. Exclusive and perpetual consent and permission to furnish wastewater collection and conveyance for those residents, businesses and government buildings in the area of the Township depicted on **Schedule A** is hereby given and granted to NJAW, its successors and assigns for the maximum duration permitted by law, subject to the permission by the New Jersey Board of Public Utilities.

Section 2. Exclusive consent and permission is given to NJAW, its successors and assigns, under the provisions of N.J.S.A. 48:13-10 and N.J.S.A. 48:13-11, to lay its pipes and conduits beneath such public roads, streets, avenues and alleys as it may deem necessary for its corporate purposes, in the area shown on the map attached hereto as **Schedule A**, provided all such pipes shall be laid henceforth at least three feet (3') below the surface and shall not unnecessarily interfere with public travel or damage public or private property. All work and maintenance of the System shall be performed in accordance with all applicable federal, state and local statutes, rules, regulations, codes, ordinances and permit requirements. NJAW shall be responsible for the continued upkeep and maintenance of the System. This consent is limited by statute to fifty (50 years).

Section 3. A certified copy of this Ordinance, upon final passage, shall be sent to NJAW, the New Jersey Department of Environmental Protection and the New Jersey Board of Public Utilities.

Section 4. The consent granted herein shall be subject to NJAW complying with all applicable federal, state and local statutes, rules, regulations, codes, ordinances and permit requirements. This consent is expressly contingent upon New Jersey Board of Public Utilities approval and the Borough and NJAW completing the acquisition of the Manville System.

Section 5. The Mayor and the Administrator of the Township are authorized to execute the documents and agreements necessary to effectuate this municipal consent.

Section 6. 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 7. This Ordinance shall take effect upon passage and publication.

Upon a motion by Committeewoman Catherine Payne, seconded by Deputy Mayor John Ciccarelli, to introduce Ordinance 2024-06. Further Consideration and a Public Hearing will be held on June 11, 2024, the motion was unanimously approved upon the call of the roll.

2. 2024-07 AN ORDINANCE AMENDING CHAPTER 188 “LAND USE AND DEVELOPMENT”, ARTICLE V “DISTRICTS AND STANDARDS”, SECTION 188-113.7 “MIXED-USE INCLUSIONARY DISTRICT-1”, OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY. FURTHER CONSIDERATION AND A PUBLIC HEARING WILL BE HELD ON JUNE 11, 2024.

WHEREAS, the Mixed-Use Inclusionary District-1 was adopted in accordance with a settlement agreement, dated September 25, 2019, between Hillsborough Township and 206 Holdings, LLC; and,

WHEREAS, the purpose of the Mixed-Use Inclusionary District-1 is to establish a mixed-use zone that provides for affordable housing, multifamily housing, retail, office and restaurant uses; and,

WHEREAS, the project, now known as The Hillmont, located at Block 202, Lot 4, was approved by the Planning Board to consist of a total of one hundred seventy-five (175) residential units, of which forty-two (42) will be affordable family rental units, a clubhouse with accompanying amenities and twelve thousand five hundred square feet (12,500) square feet of retail space within three (3) separate retail buildings; and,

WHEREAS, 206 Holdings, LLC has appeared before the Planning Board, on several occasions, to address the timing for construction of the various components of the Project especially as to the retail space; and,

WHEREAS, 206 Holdings, LLC is currently constructing one retail building consisting of approximately four thousand five hundred (4,500) square feet out of the twelve thousand five hundred (12,500) square feet required; and,

WHEREAS, the interest in retail space has not materialized due to market conditions and tenants who were not interested in “build-to-suit” space proceeded to start construction on the first (1st) of the three (3) nonresidential buildings; and,

WHEREAS, the Planning Board’s concern was that the retail buildings may not be occupied and/or even built leaving the site vacant and unfinished; and,

WHEREAS, the Township’s Affordable Housing waiting list consists of approximately three hundred fifty (350) applicants and the current waiting list is approximately two (2) years long for most types of units; and,

WHEREAS, 206 Holdings, LLC has now proposed to replace approximately eight thousand (8,000) square feet of the unbuilt retail space with two (2), two (2) story residential buildings, to consist of twenty-four (24) total residential units (eighteen (18) market units, six (6) affordable housing units) and a park with a playground; and,

WHEREAS, the Township Committee wishes to address the Planning Board’s concerns stated above, to help to alleviate some of the wait for affordable housing units in Hillsborough Township and to add an additional community amenity to The Hillmont development;

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 188-113.7.A “Purpose, applicability, and affordable housing obligation” is amended as follows:

§188-113.7.A **Purpose, applicability, and affordable housing obligation.**

(3) A minimum of (24%) of the total number of residential units in the zone shall be low- and moderate-income units in accordance with applicable affordable housing regulations; but in no case shall there be less than ~~42~~ 48 low- and moderate-income units provided in the zone regardless of the total number of units constructed.

Section 2. Chapter 188 “Land Use and Development”, Article V “Districts and Standards”, Section 188-113.7.B “**Permitted principal uses**” is amended as follows:

§188-113.7.B Permitted principal uses.

- (1) Multifamily dwellings.
- (2) Retail sales.
- (3) Offices/Medical Offices.
- (4) Restaurants, freestanding or attached (drive-through restaurants are prohibited).

- (5) Fiduciary institutions, including drive-through banks.
- (6) Mixed-use buildings with residential units on upper floors.
- (7) Commercial instructional activities.
- (8) Health club/fitness center.
- (9) Personal service establishments.
- (10) Business services.

Section 3. Chapter 188 “Land Use and Development”, Article V “Districts and Standards”, Section 188-113.7.E “Maximum residential units and minimum/maximum commercial square footage” is amended as follows:

§188-113.7.E. Maximum residential units and minimum/maximum commercial square footage.

- (1) The total number of dwelling units shall not exceed ~~175~~ 199 units. Any application for residential development shall include no less than the minimum commercial square footage required in § 188-113.7.E(2).
- (2) The combined total of retail, office, restaurants and fiduciary institutions shall be no less than ~~12,500~~ 4,400 square feet and no more than ~~20,000~~ 4,600 square feet.

Section 4. Chapter 188 “Land Use and Development”, Article V “Districts and Standards”, Section 188-113.7.G. “Supplemental regulations” is amended as follows:

§188-113.7.G. Supplemental regulations

- (8) Amenities required. The following on-site amenities are required, including a clubhouse, swimming pool, dog-run and a park with a playground.

Section 5. 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 6. 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 7. 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 thirty-five (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 8. 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 ten (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: the clerk of any adjoining municipalities located within two hundred (200) feet of the boundaries of the affected properties; and, the County Planning Board.

Section 9. After introduction, the Township Clerk is hereby directed to provide by personal service or certified and regular mail, at least ten (10) days prior to the scheduled hearing, a Notice of Hearing in accordance with N.J.S.A. 40:55D-62.1 to: the owners of the properties affected by this Ordinance; the owners of all properties within two hundred (200) feet of the boundaries of the affected properties; the Office of Planning Advocacy; and any military facility commander who has registered with the municipality.

Section 10. 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 (1) one week prior to the scheduled hearing.

Section 11. 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 12. 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 13. This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Upon a motion by Committeeman Shawn Lipani, seconded by Committeewoman Catherine Payne, to introduce Ordinance 2024-07. Further consideration and a public hearing will be held on June 11, 2024, the motion was unanimously approved upon the call of the roll.

3. 2024-08 AN ORDINANCE AMENDING “ATTACHMENT 8 - DEVELOPMENT APPLICATION GUIDELINES” AND ADDING “ATTACHMENT 12 - SUBDIVISION AND/OR SITE PLAN GREEN DEVELOPMENT CHECKLIST” IN CHAPTER 188 “LAND USE AND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY. FURTHER CONSIDERATION AND A PUBLIC HEARING TO BE HELD ON JUNE 11, 2024.

WHEREAS, municipalities can earn ten points toward Sustainable Jersey certification by creating a Green Development Checklist and enabling ordinance as a part of their Site Plan/Subdivision approval process; and

WHEREAS, at the municipal level, green design can help manage environmental obligations, reduce operating expenses, and accomplish master planning goals; and

WHEREAS, the U.S. Environmental Protection Agency (EPA) offers the following as benefits that can result from building green:

Environmental benefits:

- Enhance and protect ecosystems and biodiversity

- Improve air and water quality
- Reduce solid waste
- Conserve natural resources

Economic benefits:

- Reduce operating costs
- Enhance asset value and profits
- Improve employee productivity and satisfaction
- Optimize life-cycle economic performance

Health and community benefits:

- Improve air, thermal, and acoustic environments
- Enhance occupant comfort and health
- Minimize strain on local infrastructure
- Contribute to overall quality of life

WHEREAS, a Green Development Checklist lists various green design strategies that can be incorporated into a development and is one of several items to be submitted with a completed Site Plan/Subdivision Application; and

WHEREAS, while completion of the Green Development Checklist by applicants is mandatory, compliance with the Checklist items is not a condition of approval; and

WHEREAS, this is a data collection process that provides an opening to discuss municipal green design objectives with the development community; and

WHEREAS, the data collection and discussions could lead to the future incorporation of green design elements into the municipal site plan/subdivision ordinances; and

WHEREAS, municipalities looking to advance green development components in their communities are encouraged to update their Master Plan to incorporate these features.

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”, “Attachment 8 - Development Application Guidelines” is hereby amended to add the following to the Development Application Guidelines:

Subdivision and/or Site Plan Green Development Checklist

Section 2. Chapter 188 “Land Use and Development”, Attachments is amended to add “Attachment 12

- Subdivision and/or Site Plan Green Development Checklist” as follows:

Hillsborough Township

Subdivision and/or Site Plan Green Development Checklist

This checklist shall be completed and submitted with any application for site plan or subdivision approval. Failure to do so will render the application incomplete. The information and design aspects are not part of the application site plan or subdivision approval review unless required elsewhere in the Hillsborough Development Regulations Ordinance (Chapter 188: Land Use & Development).

The checklist includes various green development design strategies that can be implemented as part of a site plan or subdivision. The information provided in the checklist will guide and inform the dialogue between an applicant and the Township regarding possible options and opportunities to use resources more efficiently, promote smart economic development, improve the environment, and generally improve the quality of life in the Township.

There are many benefits that can result from building green, including:

Environmental

- Enhance and protect ecosystems and biodiversity
- Improve air and water quality
- Reduce solid waste
- Conserve natural resources

Economic

- Reduce operating costs
- Enhance asset value and profits
- Improve employee productivity and satisfaction
- Optimize life-cycle economic performance

Health & Community

- Improve air, thermal, and acoustic environments
- Enhance occupant comfort and health
- Minimize strain on local infrastructure
- Contribute to overall quality of life

The checklist is organized into three sections: first, it addresses the site within its regional and local context, looking at its physical location, development status, and availability of certain infrastructure; second, it addresses the impact of the proposed development on the site itself; and third, it addresses the structures on the site.

The applicant shall provide examples of how they meet or address each of the items on the checklist.

NOTE: Checklist items that are followed by are required to be included in the checklist in order for the Township to receive Sustainable Jersey certification points.

GREEN DEVELOPMENT CHECKLIST	Yes	No	Comments
A. Context			
1. Is the site a redevelopment, brownfield or infill location?			
1. Is the site served by public transit, pedestrian or by bicycle networks?			

1. Is there train service within ½ mile or bus service within ¼ mile?

1. Are the roads within the development designed as “Complete & Green [Streets](#)?”

(Complete and green streets” are roads that are designed, built and maintained to enable safe, equitable and convenient travel and access along and across streets for users of all ages and abilities while at the same time include consideration of landscape features in the right-of-way to capture and allow stormwater runoff to soak into the ground)

1. Does the development include historic preservation, or adaptive reuse of onsite?

1. Does the site’s location, scale or use support the historic context of surrounding (off-site) historic properties?

1. Does the development provide or enhance the following:

1. A mix of land use types? Please list.
2. Housing diversity by type and income?
3. Civic & public spaces or have proximity to them?

(Examples: open plazas, courtyards, public art)

4. Recreation facilities and green space/parks (or have proximity to them) and is it part of an integrated ecological network?
5. Alternative parking designs such as reduced parking ratios, compact stalls, banked parking, shared parking, priority parking for

low emission vehicles and provisions for bicycle storage?

- 6. Access to or partnerships with local farms or farmers’ markets to promote local food production?
- 7. Open space?
- 8. Natural features such as rivers, streams, shorelines, wetlands, forests, or wildlife habitats?

GREEN DEVELOPMENT CHECKLIST continued	Yes	No	Comments
B. Site Development			
1. Does the design provide for the following:			
1. Minimum site disturbance during construction?			
2. Increased erosion and sedimentation control beyond county or municipal requirements?			
3. Low Impact Design features such as:			
• Bio-swales			
• Rain gardens			
• Green Roofs			
• Pervious pavements			
• Green Walls			
<i>(Also known as vertical gardens, they are designed and engineered for maximum biofiltration of indoor air, thermal regulation and aesthetics.)</i>			
• Trees (beyond that required by the ordinance)			

- Indigenous plant species (non-invasive species, low maintenance landscaping)
- Onsite management of vegetative waste

4. Regenerative Design

- Does the site design conserve habitat, wetlands or water bodies?
- Does the site design include restoration of habitat, wetlands or water bodies?
- Does the project include long-term conservation management of habitat, wetlands or water bodies?

1. Does the site minimize heat island effects through reduced paving, enhanced landscaping, green roofs, or other methods?

1. Does the site provide alternatives to single occupancy vehicles such as van spaces, bike storage and changing facilities, and alternative energy vehicle parking?

1. Does the site include light pollution reduction techniques that help prevent misdirected or excessive light to reduce glare, light trespass, and sky-glow?

1. Does the site include energy efficient site lighting and controls?

GREEN DEVELOPMENT CHECKLIST continued

Yes No Comments

1. Have steps been taken to limit disruption of natural hydrology by reducing impervious cover or increasing on-site infiltration?

1. On sites adjacent to waterways – have slopes and existing vegetation been stabilized and protected?

1. Do the landscape and stormwater management specifications employ integrated pest management practices? *(IPM takes advantage of all appropriate pest management options including, but not limited to, the judicious use of pesticides.)*

C. Green Building

1. Does the building(s) meet any criteria for a Certified Green Building?

(A Green Building – also referred to as sustainable or high-performance building – is a collection of better design, construction, and operating practices that have the potential to reduce or eliminate the negative impacts of development on the environment and on human health.

Green building programs and guidelines commonly address energy efficiency and carbon emissions reduction, water conservation, waste reduction, healthy and sustainably produced materials, indoor air quality, occupant productivity and health, and other components of green building. For more info

visit: <http://rcgb.rutgers.edu> or <https://new.usgbc.org/leed>

)

1. Is the building oriented to maximize the benefits of daylighting and energy conservation and minimize any detrimental impacts on surrounding sites?

(Example – Maximize southern building exposure for solar energy, orient building to minimize effects of cold winter winds and maximize cool summer breezes. Minimize shadows on open space and other buildings.)

1. Water Reduction

1. Does the building provide a 20% or greater reduction beyond minimum water efficiency standards set by the EPA or local government whichever is greater?

<http://www.epa.gov/WaterSense/docs/matrix508.pdf>

2. Does the building employ water conservation features including low-flow fixtures, waterless urinals, or sensor-controlled faucets?
3. Does the building capture and re-use rainwater, gray water or storm water?
4. Is wastewater treated onsite and recharged to the ground?

GREEN DEVELOPMENT CHECKLIST continued

Yes No Comments

4. Energy

1. Does the building reduce energy usage through efficient heating and cooling, geothermal technology, enhanced daylighting, efficient lighting, occupant controls and an efficient building envelope?
2. Does the project incorporate Energy Star-labeled building products?
3. Does the building include onsite energy generation, e.g. solar or wind?
4. What is the anticipated energy savings expected to be realized from any or all of the above?
5. What are the anticipated carbon emission reductions?

5. Indoor Air Quality

1. Does the building utilize natural ventilation and efficient use of outdoor air during heating and cooling periods?
2. Are other measures such as reducing the quantity of VOCs from adhesives, sealants, paints, composite

wood systems and carpet systems being used to improve indoor air quality?

6. Materials

1. Is an existing building being reused? If so, to what extent - 100%, 75%, 50%?
2. Are there construction waste management/recycling plans in place to divert construction, demolition and land clearing debris from landfill disposal?
3. Are any building materials reused on or off-site?
4. Do new building materials contain recycled content? If so, to what extent (%)?
5. Are building materials extracted, processed or manufactured locally or within the region (within a 500 mile radius)?

Section 3. This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning, and land use regulations. In the event of any inconsistency or conflict between the provisions of this Ordinance or other local requirements, the provisions of this Ordinance shall apply.

Section 4. If any provisions of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.

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

Section 6. After introduction, the Township Clerk is hereby directed to provide by personal service, certified mail or email with confirmation that the email was delivered, at least ten (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: the clerk of any adjoining municipalities located within two hundred (200) feet of the boundaries of the affected properties; and, the County Planning Board.

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 (1) 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 Committeewoman Catherine Payne, seconded by Deputy Mayor John Ciccarelli, to introduce Ordinance 2024-08. Further consideration and a public hearing to be held on June 11, 2024, the motion was unanimously approved upon the call of the roll.

4. 2024-09 AN ORDINANCE AMENDING CHAPTER 188 “LAND USE AND DEVELOPMENT”, ARTICLE I “TITLE; PURPOSE; DEFINITIONS”, SECTION 188-3 “WORDS AND TERMS DEFINED” AND ARTICLE IV “DESIGN AND PERFORMANCE STANDARDS”, SECTION 188-68 “OFF-STREET PARKING AND LOADING”, OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY, TO AUTHORIZE AND ENCOURAGE ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) AND MAKE-READY PARKING SPACES. FURTHER CONSIDERATION AND A PUBLIC HEARING TO BE HELD ON JUNE 11, 2024.

WHEREAS, this Ordinance sets forth procedures for the installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces and establishes associated regulations and other standards within the Township of Hillsborough; and

WHEREAS, supporting the transition to electric vehicles contributes to the Township of Hillsborough's commitment to sustainability and is in the best interest of public welfare; and

WHEREAS, installation of EVSE and Make-Ready parking spaces encourages electric vehicle adoption; and

WHEREAS, the Township of Hillsborough encourages increased installation of EVSE and Make Ready parking spaces; and

WHEREAS, adoption of this ordinance supports the State of New Jersey's goals to reduce air pollutants and greenhouse gas emissions from the transportation sector as outlined and supported by various programs related to NJ's 2019 Energy Master Plan, Global Warming Response Act (P.L.2007, c.112 (C.26:2C-37 et al.)), and EV Law (P.L. 2019, c. 362); and

WHEREAS, P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021, requires EVSE and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements; and

WHEREAS, the Department of Community Affairs (DCA) was required to create a model land use ordinance to address installation, sightline, and setback requirements and other health and safety related specifications for electric vehicle supply equipment and Make-Ready parking spaces; and

WHEREAS, the DCA Model Statewide Municipal EV Ordinance is mandatory and in effect in all municipalities when it was published by DCA on September 1, 2021; and

WHEREAS, Municipalities are allowed to make changes to the “Reasonable Standards” portion of the ordinance through the normal ordinance amendment process, but may not change the parts of the ordinance that were required by the legislation (installation and parking requirements); and

WHEREAS, Hillsborough Township participates in the Sustainable Jersey municipal certification program, a state-wide initiative created to achieve a sustainable New Jersey, one community at a time; and

WHEREAS, Sustainable Jersey requires that the governing body must adopt the Department of Community Affairs (DCA) Model Statewide Municipal EV Ordinance and update the Land Use Code; and

WHEREAS, the Township of Hillsborough encourages greater ownership and use of electric vehicles, thus the Township of Hillsborough is amending the Hillsborough Development Regulations Ordinance to establish standards and regulations for the safe and efficient installation of EVSE and Make-Ready parking spaces at appropriate locations.

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 I “Title; Purpose; Definitions”, Section 188-3 “Words and terms defined”, is amended as follows:

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

CERTIFICATE OF OCCUPANCY

The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) and regulations adopted pursuant thereto.

CHARGING LEVEL

The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

ELECTRIC VEHICLE

Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE)

The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. “EVSE” is synonymous with “electric vehicle charging station.”

MAKE-READY PARKING SPACE

Means the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a “plug and play” basis. “Make-Ready” is synonymous with the term “charger ready,” as used in P.L.2019, c.362 (C.48:25-1 et al.).

PRIVATE EVSE

EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public).

PUBLICLY-ACCESSIBLE EVSE

EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

Section 2. Chapter 188 “Land Use and Development”, Article IV “Design and Performance Standards”, Section 188-68 “Off-street parking and loading” is amended as follows:

M. Electric Vehicle Supply/Service (EVSE) & Make-Ready Parking Spaces.

1. Purpose. The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State's transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:
 1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
 2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
 3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.
 4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.
2. Approvals and Permits.
 1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40:55D-70.
 2. EVSE and Make-Ready Parking Spaces installed pursuant to Section 188-68M(3) below in development applications that are subject to site plan approval are considered a permitted accessory use as described in Section 188-68M(2)(a) above.
 3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.
 4. The Zoning Officer and/or Township Engineer or their respective representatives shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in this ordinance shall be subject to the same enforcement and penalty provisions as other violations of the Township of Hillsborough's land use regulations.
 5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:

The proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;

All other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and

The proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.

An application pursuant to Section 188-68M(2)(e) above shall be deemed complete if: The application, including the permit fee and all necessary documentation, is determined to be complete,

A notice of incompleteness is not provided within 20 days after the filing of the application, or

A one-time written correction notice is not issued by the Zoning Officer within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.

1. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.
2. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

1. Requirements for New Installation of EVSE and Make-Ready Parking Spaces.

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:

Prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;

Within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and

Within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.

Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.

Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.

1. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in Section 188-68M(3)(a) above shall:

Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.

Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.

Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.

Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.

Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.

In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.

Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.

Notwithstanding the provisions of this Section, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

1. Minimum Parking Requirements.

1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces.
2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.

3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section 188-68M(3) above may be encouraged, but shall not be required in development projects.
2. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces.
 1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.
 2. Installation:

Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, N.J.A.C. 5:23-3.16.

Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.

To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.

Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.

1. EVSE Parking:

Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE.

Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.

Public Parking. Pursuant to NJSA 40:48-2, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in a EVSE parking space or any electric vehicle parked and not connected to the EVSE shall be is subject to fine and/or impoundment of the offending vehicle as described in the general penalty provisions of Chapter 143 "Vehicles and Traffic" of the Township Code. Signage indicating the penalties for violations shall comply with Section 188-68M(5)(e) below. Any vehicle parked in such a space shall make the appropriate payment for the space and observe the time limit for the underlying parking area, if applicable.

Private Parking. The use of EVSE shall be monitored by the property owner or designee.

1. Safety:

Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by appropriate signage pursuant to Section 188-68M(5)(e) below.

Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with Township of Hillsborough's ordinances and regulations.

Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of 24 inches from the face of the curb. Any stand-alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.

EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a cord management system as described in e. below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal. Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area. Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards. Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment or access to it. To allow for maintenance and notification, Township of Hillsborough shall require the owners/designee of publicly-accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information.

1. Signs:

Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.

All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.

Wayfinding or directional signs, if necessary, shall be permitted at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane, or exit and shall comply with Section 188-68M(5)(e) above.

In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:

[a] Hour of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;

[b] Usage fees and parking fees, if applicable; and

[c] Contact information (telephone number) for reporting when the equipment is not operating or other problems.

1. Usage Fees:

For publicly-accessible municipal EVSE: See Chapter 143-82D of the Township Code.

Private EVSE: Nothing in this ordinance shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

Section 3. This Ordinance shall be construed so as not to conflict with any provision of New Jersey or Federal law.

The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning, and land use regulations. In the event of any inconsistency or conflict between the provisions of this Ordinance or other local requirements, the provisions of this Ordinance shall apply.

Section 4. If any provisions of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining provisions which shall be deemed severable therefrom.

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

Section 6. After introduction, the Township Clerk is hereby directed to provide by personal service, 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: the clerk of any adjoining municipalities located within 200 feet of the boundaries of the affected properties; and the County Planning Board.

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 John Ciccarelli, seconded by Committeeman Shawn Lipani, to introduce Ordinance 2024-09. Further consideration and a public hearing to be held on June 11, 2024, the motion was unanimously approved upon the call of the roll.

BUDGET

1. 2024-10 ORDINANCE TO EXCEED THE 2024 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK. FURTHER CONSIDERATION AND A PUBLIC HEARING WILL BE HELD ON JUNE 11, 2024.

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

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

WHEREAS, the Township Committee finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the

citizens; and

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$309,625.79 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, a majority of the full authorized membership of the Township Committee affirmatively concurring, that in the CY 2024 budget year, the final appropriations of the Township of Hillsborough shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$309,625.79 and that the CY 2024 municipal budget for the Township of Hillsborough be approved and adopted in accordance with this ordinance; and

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

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

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

Upon a motion by Committeeman Shawn Lipani, seconded by Deputy Mayor John Ciccarelli, to introduce Ordinance 2024-10. Further consideration and a public hearing will be held on June 11, 2024., the motion was not unanimously approved upon the call of the roll.

2. RESOLUTION AUTHORIZING THE INTRODUCTION OF THE 2024 MUNICIPAL BUDGET AND SETTING THE PUBLIC HEARING FOR JUNE 11, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that it does hereby authorize the introduction of the 2024 Municipal Budget and sets the public hearing for June 11, 2024.

3. RESOLUTION AUTHORIZING SELF-EXAMINATION OF THE 2024 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-78b authorizes the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Hillsborough has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2024 budget year.

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

of Somerset, State of New Jersey, that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body finds the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget has been introduced and will be publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this Resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Upon a motion by Committeeman Shawn Lipani, seconded by Deputy Mayor John Ciccarelli, the two Budget Resolutions failed upon the call of the roll.

Committeewoman Hand explained that she did not have enough time to examine the budget.

CLAIMS LIST

1. CLAIMS LIST 24-07

Mayor Britting asked to approve Claims List 2024-07.

Upon a motion by Committeewoman Catherine Payne, seconded by Committeeman Shawn Lipani, Claims List 2024-07, was approved upon the call of the roll.

NEW BUSINESS

None

PUBLIC COMMENT ON NEW BUSINESS AND MATTERS NOT ON THE AGENDA

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

Susan Gulliford, Hunt Club Road inquired about recognizing George Meyer's efforts in picking up trash in town and commented on the OPRA bill in Trenton.

EXECUTIVE SESSION

1.

- **LITIGATION: HILLSBOROUGH PROPERTIES**
- **WAREHOUSE ORDINANCE LITIGATION: HILLSBOROUGH RB, LARKEN, HOMESTEAD ROAD, VALLEY INDUSTRIAL PARTNERS**

WHEREAS, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12 (b) (1-9), Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee is of the opinion that such circumstances exist.

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 public shall be excluded from discussion of the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
 - Litigation: Hillsborough Properties
 - Litigation: Warehouse Ordinance Litigation
 - Hillsborough RB
 - Larken
 - Homestead Road
 - Valley Industrial Partners
3. The Township Committee may take official action on those items discussed in the Executive Session upon completion of the Executive Session.
4. The minutes of the discussions shall be made available to the public as soon as the matters under discussion are no longer of a confidential or sensitive nature.
5. This Resolution shall take effect immediately.

Upon a motion by Committeeman Shawn Lipani, seconded by Deputy Mayor John Ciccarelli, the aforesaid resolution was unanimously approved upon call of the role. The Township Committee went into Executive Session at 8:47pm.

Upon a motion by Committeeman Shawn Lipani, seconded by Deputy Mayor John Ciccarelli, the public meeting was re-opened at 9:52 pm.

Township Attorneys Willard and Bernstein stated the matters on the agenda were discussed and no further action is required at this time.

ADJOURNMENT

Upon a motion by Committeeman Shawn Lipani, seconded by Committeewoman Samantha Hand, the meeting duly adjourned at 9:54 pm. Said motion was unanimously carried upon voice vote.

Attested:

A handwritten signature in black ink, appearing to be 'S. Brake', with a long horizontal flourish extending to the right.

Sarah Brake
Township Clerk