

Minutes of the February 25, 2025 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 February 25, 2025.

CALL OF THE ROLL

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

SALUTE TO THE FLAG

MAYOR STATES

Mayor Ciccarelli advised that in accordance of section 5 of the Open Public Meetings Act, Chapter 231, of the Public Laws of 1975 that notice of this meeting was made by the posting on the bulletin board at the Hillsborough Township Municipal Complex and notifying the officially designated newspapers that this meeting would take place at the Hillsborough Township Municipal Complex at 7:30 p.m. on Tuesday, February 25, 2025.

EXECUTIVE SESSION

None

APPROVAL OF MINUTES

1. REORGANIZATION MEETING MINUTES JANUARY 2, 2025

Upon a motion by Committeeman Robert Britting, seconded by Deputy Mayor Catherine Payne, the Reorganization Meeting Minutes of January 2, 2025 were approved upon the call of the roll.

2. REGULAR MEETING MINUTES JANUARY 28, 2025

Upon a motion by Committeeman Shawn Lipani, seconded by Committeeman Robert Britting, the regular meeting minutes of January 28, 2025 were approved upon the call of the roll.

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

Committeeman Britting

Committeeman Britting advised that free radon test kits are available from the Health Department. Radon is the second leading cause of lung cancer in the US.

Committeeman Britting reported that Hillsborough Township is currently recruiting for a variety of positions including: Chief Financial Officer, Administrative Assistant in the Economic & Business Development Office, part-time Assistant to the CFO in the Finance Department, part-time Building Maintenance position in the Public Works Department, part-time Crossing Guard in the Police Department, two full-time or part-time Plumbing Inspectors, full-time or part-time Electrical Inspector, and full-time or part-time Multi-Licensed Fire & Electrical Inspector in our Construction Department.

Committeeman Britting informed residents that children can now register for the hands-on 3D Designing, Modeling & Printing Club through the recreation website.

Committeeman Britting stated that summer camp registration is now open.

Committeeman Britting announced that the Social Services Department is partnering with MTA Foundation to present a Financial Literacy Workshop on Tuesday, March 11th, 2025 from 6-7:30 p.m.

Committeewoman Hand

Committeewoman Hand congratulated the Hillsborough High School Boys Swim Team on their Central Jersey Sectional Championship.

Committeewoman Hand stated that dead geese and geese control should be a topic discussed.

Committeewoman Hand shared that the township is here to support all members of the township including the LGBTQ+ community.

Committeewoman Hand relayed that she and Deputy Mayor Payne attended the ceremony of two new paid firefighters.

Committeewoman Hand reported that there are only a few days left to renew dog licenses without penalty. The deadline to renew is February 28th, after which there is a \$5.00 late fee.

Committeeman Lipani

Committeeman Lipani stated that the Building Department offers online payments.

Committeeman Lipani advised that the Hillsborough Business Association is hosting a networking event on March 27th from 6 to 8 PM at Iron Peak Sports & Events.

Committeeman Lipani relayed that the Winter 2025 issue of the Experience Hillsborough e-magazine is now live. This quarterly digital showcase gives readers a glimpse into what makes Hillsborough Township an amazing place to live, work, and visit.

Committeeman Lipani announced that the job fair will be held in the multipurpose room on February 27th from 10 a.m. to 12 p.m.

Committeeman Lipani provided some tips for residents needing final Engineering inspections in the winter months. If residential work such as additions, driveways, in-ground pools, etc., have recently been completed, it is recommended that a site inspection be scheduled as soon as possible; however, a site inspection cannot be conducted if the area is covered with snow. The Engineering Department may be able to issue a temporary certificate with a cash escrow deposit and once site work can be verified, a permanent certificate of occupancy can be issued and the cash escrow can be returned.

Committeeman Lipani relayed that the Public Works Department is requesting residents pick up any garbage or debris around the storm drains on their streets.

Deputy Mayor Payne

Deputy Mayor Payne reminded residents to protect themselves from becoming victims of personal property and identity theft in their vehicles by: keeping vehicles locked at all times and removing all valuables, especially personal identity items.

Deputy Mayor Payne announced that the Shorts in Winter event, celebrating Hillsborough's film community will take place on March 1st from 2 to 4 PM at the Municipal Building. This free event will showcase short films directed by Hillsborough residents.

Mayor Ciccarelli

Mayor Ciccarelli highlighted an Eagle Scout project by Dean Milano, a 12th-grade student at HHS wherein Dean has set up a project to collect eyeglasses for those in need. He has set up a collection box in the library's hallway.

Mayor Ciccarelli reported that this past Saturday, he stopped at the Cub Scout Troop 89 Pinewood Derby and had the pleasure of starting one race.

Mayor Ciccarelli advised that he recently attended the YMCA Campaign Kickoff event at the Bridgewater Manor. This was the Greater Somerset County YMCA Volunteer Spirit Awards & Annual Campaign Celebration and was attended by teams from area YMCAs including Hillsborough.

Mayor Ciccarelli stated that he and several members of the Township Committee joined with student supporters, parents, alumni, and other fans of the Varsity Boys Swim Team to wish them success at the NJIAA State Championship against Westfield. While the ultimate result was not what the team wanted, he congratulated them on winning the Group 4 State Championship.

Mayor Ciccarelli advised that Iron Peak played host to the 56th USA Archery Indoor Nationals and JOAD (Junior Olympic Archery Development) Indoor Nationals competition on February 15-16. There were almost 300 participants, including several Olympic team members qualifying for spots on the summer Olympic team.

Mayor Ciccarelli announced that last Saturday he met with the RoboRaiders to see their current robot development first-hand and participated in an interview to support their submission for the "FIRST Impact Award."

Mayor Ciccarelli informed residents that last week was Engineers Week, during which industry professionals shine a light on engineering and celebrate the difference engineers make in the world. The science department at the HS arranged for him to meet with STEM students to discuss his career.

Mayor Ciccarelli stated that he had the honor of attending the first STEM Fair. This event was organized by 8 HHS students and focused on a variety of science displays by 5th to 8th-grade students from Auten Road and the Middle School.

Mayor Ciccarelli announced that the NJMVC Mobile Unit is coming to the Municipal Building on March 29th and will focus on issuing REAL ID licenses and renewing vehicle registrations.

Mayor Ciccarelli reported that Hillsborough was chosen as one of JerseyBest.com's 2025 Top Five Destinations of the Year highlighting the Sourlands and Duke Farms, the annual Rotary Fair, Flounder Brewing, Norz Hill Farm, and Royce Brook Golf.

Mayor Ciccarelli updated residents that the township issued its second Ask the Mayor for this year and focused on an update on 206 progress as well as a discussion about the Britespeed fiber optic infrastructure project and the little flags that various utilities use to mark out the location of services before the digging starts. Residents can view the video on Facebook or Hillsborough's YouTube channel.

PROCLAMATIONS / APPOINTMENTS

1. HILLSBOROUGH DUKES MITEY MITE CHEERLEADING TEAM

WHEREAS, the 2024/2025 Hillsborough Dukes Mitey Mite Cheerleading Team had a very successful season because of their hard work and dedication; and

WHEREAS, the 2024/2025 Hillsborough Dukes Mitey Mite Cheerleading Team are the Central Jersey Champions, State Champions, and Eastern Region Champions; and

WHEREAS, the Hillsborough Dukes Mitey Mite Cheerleading Team finished in fourth place at Nationals; and
 WHEREAS, the 2024/2025 Hillsborough Dukes Mitey Mite Cheerleading Team most recently placed 2nd at the Youth Cheer and Dance Alliance (YCADA) Globals competition on February 7th in Atlantic City; and
 WHEREAS, the 2024/2025 Hillsborough Dukes Mitey Mite Cheerleading Team consists of the following young athletes: Emily Babiak, Lily Desai, Laila Dewberry, Mia Greco, Melissa Greenwood, Brielle Lachowski, Brooke-Lynn Miranda, Mackenzie Paulhus, Gianna Portugez, Julie Portugez, Hannah Sadowski, Harper Shull, Hadley Skobo, Reese Skobo, Zariah Stewart, Reagan Svec, and Loa Gray Vega; and
 WHEREAS, the 2024/2025 Hillsborough Dukes Mitey Mite Cheerleading Team was led by Coaches Allison Skobo, Monique Shull, Kimberly Paulhus and Junior Coaches Lucia Heiser, Grace Perkins, and Emma Skobo. NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby commend the 2024/2025 Hillsborough Dukes Mitey Mite Cheerleading Team, Coaches, and parents, not only for their successful season but for their hard work, dedication, and commitment to the sport and to those principles of good sportsmanship, teamwork, and academic achievement which the organization endorses.

2. HILLSBOROUGH DUKES PEE WEE CHEERLEADING TEAM

WHEREAS, the 2024/2025 Hillsborough Dukes Pee Wee Cheerleading Team had a very successful season because of their hard work and dedication; and
 WHEREAS, the 2024/2025 Hillsborough Dukes Pee Wee Cheerleading Team are the Central Jersey Champions, State Champions, and Eastern Region Champions; and
 WHEREAS, the Hillsborough Dukes Pee Wee Cheerleading Team finished in second place at Nationals and were the D12 Category and Division Champions at the Youth Cheer and Dance Alliance (YCADA) Globals; and
 WHEREAS, the 2024/2025 Hillsborough Dukes Pee Wee Cheerleading Team consists of the following young athletes: Ava Adams, Olivia Amerman, Angelina Barmore, Magnolia Cetin, Kylie Cuevas, Hanna Finkelstein, Gabriella Franzoso, Zoe Garrard, Aubrey Howell, Samantha Petito, Sophie Redlich, Victoria Rott, Adaliz Santos, Allison Seelig, Nalani Slaughter, Ava Sokalski, Gracie Stashek, and Carissa Zimmman; and
 WHEREAS, the 2024/2025 Hillsborough Dukes Pee Wee Cheerleading Team was led by Head Coach Alexis Harris, Assistant Coaches Abbie Inclan, Jenn Garrard, and Kelly Black, Junior Coaches Sydney Andreski, Izzy Antonelli, Gianna Lomelo, and Addison Garrard. NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby commend the 2024/2025 Hillsborough Dukes Pee Wee Cheerleading Team, Coaches, and parents, not only for their successful season but for their hard work, dedication, and commitment to the sport and to those principles of good sportsmanship, teamwork, and academic achievement which the organization endorses.

3. HILLSBOROUGH DUKES JV CHEERLEADING TEAM

WHEREAS, the 2024/2025 Hillsborough Dukes JV Cheerleading Team had a very successful season because of their hard work and dedication; and
 WHEREAS, the 2024/2025 Hillsborough Dukes JV Cheerleading Team are the National Champions outscoring 411 teams from across the nation and National Grand Champions; and
 WHEREAS, the 2024/2025 Hillsborough Dukes JV Cheerleading Team are also Central Jersey Champions, Eastern Region Champions, and State Champions; and
 WHEREAS, the 2024/2025 Hillsborough Dukes JV Cheerleading Team most recently placed 2nd at the Youth Cheer and Dance Alliance (YCADA) Globals competition on February 9th in Atlantic City; and
 WHEREAS, the 2024/2025 Hillsborough Dukes JV Cheerleading Team consists of the following young athletes: Alexa Andreski, Abigail Drews, Adriana Vilalta, Bailly McCarthy, Cali Chupinka, Callie Douvas, Demi Rott, Elizabeth Woodard, Maria Sofia Mitchoine, Evie Doyal, Gabby Petrillo, Laila Greco, Lexi Wright, Lily Cocuzza, Madison Bannister, Madison Svec, and Riley Gutschmidt; and
 WHEREAS, the 2024/2025 Hillsborough Dukes JV Cheerleading Team was led by Head Coach Kelly Black, Assistant Coaches Barbara Petrillo, Mindi Andreski, and Alise Chupinka and Junior Coaches Juliana Borowski and Kendra Borowski. NOW, THEREFORE, BE IT PROCLAIMED that we, the Mayor and the Hillsborough Township Committee, do hereby commend the 2024/2025 Hillsborough Dukes JV Cheerleading Team, Coaches, and parents, not only for their successful season but for their hard work, dedication, and commitment to the sport

and to those principles of good sportsmanship, teamwork, and academic achievement which the organization endorses.

PRESENTATIONS

CONSENT

1. RESOLUTION RATIFYING AND CONFIRMING THE HIRING OF JOSEPH DESMOND TO THE POSITION OF TEMPORARY PART-TIME SENIOR SYSTEM ENGINEER / ADMINISTRATOR IN THE POLICE DEPARTMENT

WHEREAS, there exists a need for a temporary Part-Time Senior Systems Engineer / Administrator in the Police Department; and

WHEREAS, the Police Captain recommends the hiring of Joseph Desmond as a temporary Part-Time Senior Systems Engineer / Administrator in the Police Department, effective February 24, 2025, at a monthly rate of \$4,000.00, not to exceed 80 hours per month.

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

2. RESOLUTION AUTHORIZING RELEASE OF DEVELOPMENT REVIEW ESCROW TO 3 RONSON, LLC, FOR THE RED BANK VET PROJECT

WHEREAS, a development review escrow was posted by 3 Ronson, LLC, for the Red Bank Vet project BA-18-16; and

WHEREAS, the Township Planning Director certifies all work related to the review of the project has been completed and recommends the Township Committee authorize the release of the development review escrow in the amount of \$8,375.71 to 3 Ronson, LLC.

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

3. RESOLUTION AUTHORIZING RELEASE OF DEVELOPMENT REVIEW ESCROW TO 3 RONSON, LLC, FOR THE VILLAGE POINT HILLSBOROUGH CENTRE PROJECT

WHEREAS, a development review escrow was posted by 3 Ronson, LLC, for the Village Point Hillsborough Centre Project file 19-PB-07-MSPV; and

WHEREAS, the Township Planning Director certifies all work related to the review of the project has been completed and recommends the Township Committee authorize the release of the development review escrow in the amount of \$3,208.20 to 3 Ronson, LLC.

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

4. RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS

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

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

Block	Lot	Qualifier	Name	Amount	Qtr	Year
11	21		CoreLogic	3585.78	1	2025
153.01	23		CoreLogic	2877.16	1	2025
163.05	1.01	C1911	CoreLogic	1231.16	1	2025
175.06	11		CoreLogic	2993.78	1	2025
182	69		CoreLogic	2882.88	1	2025
199	25		CoreLogic	2961.63	1	2025
205.29	14		CoreLogic	5008.20	1	2025
207.13	13		CoreLogic	2945.02	1	2025
32	4.01		Laura Talluto	2197.64	2	2025

5. RESOLUTION AUTHORIZING SUBMISSION OF A GRANT PROPOSAL TO 2025 AARP COMMUNITY CHALLENGE GRANT FOR SIDEWALKS AND WALKING LOOP REPAIRS AT WOODFIELD PARK

WHEREAS, Hillsborough Township desires to apply for and obtain a flagship grant from the AARP Foundation's "2025 Community Challenge" for approximately \$25,000.00 for the construction of sidewalks and rehabilitation of the walking loop at Woodfield Park.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey that: (1) it hereby authorizes the application for such a grant and recognizes and accepts that AARP may offer a lesser amount and therefore, upon receipt of the grant agreement from AARP, does further authorize the execution of any such grant agreement and upon receipt of the fully executed agreement from AARP, does further authorize the expenditure of funds pursuant to the terms of the agreement between Hillsborough Township the AARP Foundation.

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized Hillsborough Township officials to sign

the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

6. RESOLUTION AUTHORIZING EXECUTION OF STORMWATER FACILITIES AND POROUS PAVEMENT MAINTENANCE AGREEMENTS WITH IRV CYZNER FOR THE MILL LANE, BLOCK 11, LOTS 44.03 AND 44.04, PROPERTIES

Whereas, Irv Cyzner is the owner of the properties identified as Mill Lane, Block 11, Lots 44.03 and 44.04, Hillsborough, New Jersey ("Property"); and

Whereas, Application BA-21-20 was filed with the Hillsborough Board of Adjustment ("Board") seeking minor subdivision approval to merge and subdivide Block 11, Lots 44, 44.01 and 44.02, into two residential building lots to be known as Block 11, Lot 44.03 (+27.998 acres) and Block 11, Lot 44.04 (+7.00 acres) and other associated variance relief; and

Whereas, on May 3, 2023, the Board adopted a memorializing Resolution approving the Application; and

Whereas, the approval of the Board requires the property owner to enter into Stormwater Facilities and Porous Pavement Maintenance Agreements with the Township.

Now, Therefore, Be It Resolved by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that: (1) the Mayor and Township Clerk are authorized to execute Stormwater Facilities and Porous Pavement Maintenance Agreements with Irv Cyzner for the properties identified as Mill Lane, Block 11, Lots 44.03 and 44.04, Hillsborough, New Jersey, in a form approved by the Township Attorney; and (2) the Township Attorney is authorized to record the Agreements with the Somerset County Clerk.

7. RESOLUTION AUTHORIZING THE PROMOTION OF GRIFFIN DUNNE TO THE POSITION OF DIRECTOR OF PARKS AND RECREATION DEPARTMENTS

WHEREAS, due to reorganization and department restructuring, there is a need for a Director of Parks and Recreation; and

WHEREAS, the Township Administrator and HR Director recommend the promotion of Griffin Dunne to the position of Director of Parks and Recreation, at a salary of \$105,500.00, beginning on March 1, 2025.

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

8. RESOLUTION APPOINTING ROBERT WAGNER JR. TO ONE (1) YEAR TERM AS EMERGENCY MANAGEMENT DEPUTY COORDINATOR EFFECTIVE MARCH 1, 2025 THROUGH DECEMBER 31, 2025 AND AUTHORIZING ANNUAL STIPEND FOR SAID SERVICE

WHEREAS, there exists a vacancy for an Emergency Management Deputy Coordinator; and

WHEREAS, the Township Office of Emergency Management Coordinator recommends the appointment of Robert Wagner Jr. to a one (1) year term as Emergency Management Deputy Coordinator, effective March 1, 2025 through December 31, 2025, with an annual stipend of \$1,000.00 for such services, prorated for 10 months.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that Robert Wagner Jr is appointed to one (1) year term as Emergency Management Deputy Coordinator to serve from March 1, 2025 through December 31, 2025 with an annual stipend of \$1,000.00 to be paid for such service, prorated for 10 months.

9. RESOLUTION ACCEPTING THE 2025 NJ CAREER ACCELERATOR INTERNSHIP GRANT AND AUTHORIZING THE HUMAN RESOURCES DIRECTOR TO FILL PART-TIME INTERNSHIP POSITIONS AS REQUIRED TO SUPPORT THE GRANT

WHEREAS, the Township has been awarded the 2025 New Jersey Career Accelerator Internship Grant in the amount of \$16,000.00; and

WHEREAS, there is a need to hire 4 (four) part-time interns for specific department projects as required to support the Grant requirements; and

WHEREAS, the Human Resources Director requests that the Township accept the grant and authorize the hiring of four (4) interns as part of the requirements to support the Grant.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the 2025 New Jersey Career Accelerator Internship Grant in the amount of \$16,000.00 is hereby accepted and the Human Resources Director is authorized to hire part-time interns as required to support the Grant requirements.

10. RESOLUTION AUTHORIZING EXECUTION OF MUNICIPAL CERTIFICATION FOR SOMERSET COUNTY YMCA 2025 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, Greater Somerset Young Men's Christian Association, Inc., d/b/a Greater Somerset County YMCA, operates a facility located at 19 East Mountain Road, Hillsborough, New Jersey; and

WHEREAS, Greater Somerset County YMCA wishes to submit an Application to the Somerset County Community Development Committee to receive grant funding under the 2025 Community Development Block Grant Program for a Safety Around Water program; and

WHEREAS, the Application requires submission of a Municipal Certification acknowledging the governing body has been notified of the Application and the Application was discussed at a local public meeting held in full compliance with all state and local public notice requirements; and

WHEREAS, the Township Committee wishes to endorse the submission of Greater Somerset County YMCA's Application for grant funding.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hillsborough, County of Somerset, State of New Jersey, that the Township Committee endorses the submission of Greater Somerset Young Men's Christian Association, Inc., d/b/a Greater Somerset County YMCA's Application for grant funding for a Safety Around Water program and the Mayor and Clerk are authorized to execute the Municipal Certification for the Application.

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

Deputy Mayor Payne stated in general, details matter and explanations and context helps.

Committeewoman Hand inquired about resolution 5 regarding the Woodfield Park construction. Administrator Ferrera stated it is a \$25,000 grant application. If the township receives it, the sidewalk will be repaired and potentially replaced. The township will not spend more than the grant money received, if any.

Committeewoman Hand with regard to resolution 7, sought to clarify new titles, understand relined titles, and why

an employee was assigned to a redlined title. She asked if two people can have the same title, Committeeman Britting asked what the intent of the question is.

Attorney Willard stated as long as the person named is getting within the salary range of both positions and gets only one salary, the salary ordinance is acceptable.

Administrator Ferrera stated Bob Wagner's title will change to Director of Social Services and Griffin Dunne will assume the title of Director of Parks and Recreation.

Committeewoman Hand asked about the appointment of a deputy OEM position in resolution 8.

Committeeman Lipani stated now with OEM under the umbrella of Social Services, there was a position open for a deputy and it made sense to appoint Bob Wagner.

Administrator Ferrera congratulated Joseph Desmond and Griffin Dunne on their new positions.

Committeeman Britting congratulated Griffin Dunne and the new move for Recreation as well as Bob Wagner for the new role in Social Services.

Deputy Mayor Payne congratulated Griffin Dunne and Bob Wagner on their new roles.

Committeewoman Hand congratulated Griffin Dunne and stated she simply wanted to make sure the money aspect was being looked at.

Mayor Ciccarelli congratulated Griffin Dunne as well.

Mayor Ciccarelli noted that 2nd graders from Manville are able to use the Hillsborough YMCA through a grant.

PUBLIC HEARINGS

1. 2025-02 AN ORDINANCE AMENDING CHAPTER 188 “LAND USE AND DEVELOPMENT”, ARTICLE I “TITLE; PURPOSE; DEFINITIONS”, SECTION 188-3 “WORDS AND TERMS DEFINED” AND ARTICLE V “DISTRICTS AND STANDARDS”, SECTION 188-107.1 “LI LIGHT INDUSTRIAL DISTRICT” OF THE CODE OF THE TOWNSHIP OF HILLSBOROUGH, SOMERSET COUNTY, NEW JERSEY.

Whereas, on June 13, 2023, the Township Committee adopted Ordinance 2023-08 removing warehousing, shipping and receiving facilities as a principal permitted use in the I-1, I-2 and I-3 Light Industrial Districts, GI General Industrial District and LI Light Industrial District; and

Whereas, Ordinance 2023-08 also removed warehousing, shipping and receiving from the definition of “Industrial or Office Park”; and

Whereas, Larken Self Storage, LLC, Hillsborough Park, LLC, Hillsborough Mini-Office, LLC, Hillsborough Industrial 5/6 Associates, LLC, Hillsborough Industrial 18/19 Associates, LLC, Jill Court Associates, LLC, Jill Court Associates II, LLC and 133 Stryker Lane, LLC, (collectively “Larken Entities”) have existing developed properties in the LI Light Industrial District; and

Whereas, Larken Entities filed a civil action in the New Jersey Superior Court challenging and seeking to invalidate Ordinance 2023-08; and

Whereas, following negotiations and input from each party’s Planner, on September 26, 2024, the Township and Larken Entities entered into a Settlement Agreement wherein the parties agreed to amend the Hillsborough Land Use and Development Ordinance in such a manner so as to render the Larken Entities’ existing structures and uses conforming to the LI Light Industrial District in which they are situated; and

Whereas, on January 23, 2025, the Hillsborough Planning Board as part of an ongoing comprehensive Master Plan update adopted a Master Plan Amendment supporting the modifications to the Hillsborough Land Use and Development Ordinance set forth herein.

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:

§188-3 Words and terms defined.

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

SMALL SCALE LOGISTICS

A use of no more than 41,000 square feet of gross floor area per lot that is principally used for the storage of goods, products and materials and/or receipt of bulk products and separation and distribution of those products to another logistics use or to individual end-user consumers. It may include value-added services between a supplier and its customers such as breaking down of large orders from a single source into smaller orders (break-bulk functions), product mixing, sorting, packaging, cross-docking, order fulfillment, order returns, the consolidation of several orders into one large order for distribution to several recipients and/or vice versa completely within an enclosed building. Trailer parking other than at the loading dock is prohibited.

INDUSTRIAL OR OFFICE PARK

A tract of land that is planned, developed, and operated as a coordinated and integrated facility for a number of separate permitted uses as permitted by this Chapter. Multiple buildings and/or lots involving permitted industrial and/or office uses, including manufacturing, finishing and assembly of products, offices and medical offices, contractor facilities and research and development uses, which may have any combination of the following shared amenities and improvements: stormwater management facilities, parking, access, landscaping, lighting, signs, and/or open space/recreation.

Section 2. Chapter 188 “Land Use and Development”, Article V “Districts and Standards”, Section 188-107.1 “LI Industrial District” of the Code of the Township of Hillsborough is amended as follows:

§188-107.1 LI Light Industrial District.

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

(7) ~~(Reserved)~~ Small scale logistics.

(16) ~~Reserved.~~ Industrial or office park, subject to site plan review and the following special requirements:

- (a) ~~_____ A minimum tract area of 20 acres.~~
- (b) ~~_____ No individual lot shall contain less than one acre.~~
- (c) ~~_____ All individual lots must comply with the area, yard and bulk requirements contained in § 188-106 for the I-1 District.~~

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

(3) Area, yard, and bulk regulations.

(a) Minimums:

Lot area: two acres.

Lot width: 200 feet.

Lot depth: 250 feet.

Front yard: The minimum front yard shall be 40 feet.

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

Rear yard: 75 feet.

(b) Maximums:

Floor area ratio: 0.30.

Total impervious coverage: 60%

Building height: ~~two three~~ stories or 35 ~~60~~ feet.

Building size: 41,000 square feet. (The building size maximum shall not apply to large format supermarkets).

Loading docks: 1 per 5,000 square feet.

(4) Industrial or office park, subject to site plan review and the following special requirements.

(a) All individual lots must comply with the area, yard, and bulk regulations.

Minimums:

[a] Tract Area: 20 acres.

[b] Individual lot area: 1 acre.

[c] Lot width: 200 feet.

[d] Lot depth: 200 feet.

[e] Front yard: The minimum front yard shall be 50 feet.

[f] Side yard: The minimum side yard shall be 25 feet. There shall be no internal side yard setback where multiple buildings occur on one lot.

[g] Rear yard: 50 feet.

Maximums:

[a] Floor area ratio: 0.30.

[b] Total impervious coverage: 60%.

[c] Building height: two stories or 35 feet.

[d] Building size: 41,000 square feet.

[e] Loading docks: 1 per 5,000 square feet.

I. Nonconforming structure.

(1) Any principal or accessory structure lawfully created which shall accidentally be destroyed may be replaced in the same location as it occupied under the same specifications on the lot immediately prior to said accidental destruction and shall not constitute a nonconforming structure.

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 is hereby directed to provide by personal service or certified and regular mail, at least 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 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 8. 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 week prior to the scheduled hearing.

Section 9. 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 10. 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 11. This Ordinance shall take effect immediately upon its adoption, passage and publication according to law.

Upon a motion by Deputy Mayor Catherine Payne, seconded by Committeeman Robert Britting, to open the public hearing on Ordinance 2025-02. The motion was unanimously approved upon the call of the roll.

Township Planner David Kois stated the Planning Board reviewed Ordinance 2025-02 and concluded it is consistent with the township master plan. The ordinance outlines a definition for small scale logistic facilities and modifies the LI light industrial district to allow small scale logistical facilities as a permitted use.

Attorney Willard provided more background and a summary. Some small scale warehouses and flex use facilities were inadvertently affected and this ordinance is the result.

Brian Tarantino, 235 Fairfield Lane stated he believes this ordinance takes care of preventing huge warehouses from coming into town. Mr. Tarantino is concerned about a developer subdividing lots and then putting several small warehouses on the lots and suggested edits to the ordinance. He is further concerned about cross-docking, a high cross through of trucks generating a large number of trucks and suggested deleting the term cross-docking.

Township Planner Kois explained there is still a minimum lot size and cannot be subdivided without a variance. The intent of this ordinance is to make sure everything that is presently built is conforming. He further stated that cross-docking already exists and therefore cannot be stricken.

Attorney Willard stated Mr. Tarantino is correct.

David Brook, 7 Winding Way echoed support for Brian Tarantino and stated he is concerned if it is not monitored properly as it relates to how these new facilities will be built. He explained 5 smaller warehouses could have the same effect as one large warehouse. Mr. Brook also asked about the status of the litigations and how those will be

resolved.

Upon a motion by Committeeman Robert Britting, seconded by Deputy Mayor Catherine Payne, to close the public hearing and adopt Ordinance 2025-02, the motion was approved upon the call of the roll.

Deputy Mayor Payne thanked the speakers for their input.

Committeeman Lipani stated this ordinance satisfies the Larken Associates business interests and is a good result. Mayor Ciccarelli stated the township does not allow large warehouses in that zone.

INTRODUCTION OF NEW ORDINANCES

1. 2025-04 ORDINANCE TO EXCEED THE 2025 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK. FURTHER CONSIDERATION AND A PUBLIC HEARING WILL BE HELD ON MARCH 25, 2025.

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 2025 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 \$328,577.62 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 2025 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 \$1,150,021.66 and that the CY 2025 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 Catherine Payne, to introduce Ordinance 2025-04. Further consideration and a public hearing will be held on March 25, 2025., the motion was unanimously approved upon the call of the roll.

CLAIMS LIST

1. CLAIMS LIST 2025-04

Mayor Ciccarelli asked to approve Claims List 2025-04.

Upon a motion by Deputy Mayor Catherine Payne, seconded by Committeeman Robert Britting, Claims List 2025-04, 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.

Reverend Rod Williams, 101 Everett Close stated there are too many divisive forces threatening our sense of community. Community is the foundation of One Hillsborough. Reverend Williams encouraged all to ignore the influences of divisiveness and urged all to embrace our common bond as one human race. Without black history, there is no American history. He stated we should not deny past mistakes. The township can be its best by striving to set an example for the country to follow.

Joseph Maloney, 27 Stonewyck Drive echoed recommendations to clean storm drains. Mr. Maloney complimented Police Officer Brian D'Anunciacao, DPW Assistant Supervisor Dan Davenport and DPW worker Fred Tenore for helping clear out the drain when the road was flooded. There was not sufficient equipment to drain the water. He is requesting a purchase of equipment that could have cleaned up the street within an hour.

David Brook, 7 Winding Way asked who decided on the 3 minute time frame and to broadcast it on a screen which is intimidating and inappropriate.

ADJOURNMENT

Upon a motion by Committeeman Shawn Lipani, seconded by Deputy Mayor Catherine Payne, the meeting duly adjourned at 9:10 pm. Said motion was unanimously carried upon voice vote.

Attested:



Sarah Brake

Township Clerk