

**HOPEWELL TOWNSHIP COMMITTEE REGULAR MEETING
HOPEWELL TOWNSHIP MUNICIPAL BUILDING AUDITORIUM**

Tuesday, February 13, 2018 – 7:04 p.m.

PROPER STATEMENT OF NOTICE – Mayor Kuchinski called the meeting to order stating that notice of the meeting had been posted on the municipal bulletin board and forwarded to the Hopewell Valley News, The Times, the Trentonian and the Hopewell Express (the official newspapers) on January 3, 2018, in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975.

ROLL CALL: Those answering the roll call of the Municipal Clerk:

COMMITTEE MEMBERS PRESENT: Blake, Hart, McLaughlin, Ruger, Mayor Kuchinski

ABSENT: None

STAFF PRESENT: Administrator/CFO Borges, Municipal Clerk Gompf, Director of Community Development Kataryniak, Township Attorney Goodell

PLEDGE OF ALLEGIANCE TO THE FLAG - Mayor Kuchinski led those in attendance in the Pledge of Allegiance to the flag.

Mayor Kuchinski announced that the public hearing on Ordinances A, “Ordinance to Amend and Supplement Chapter XVI, “Health” Section 16-2, Individual Sewage Disposal Code of the Revised General Ordinances of the Township of Hopewell (1978),” and B, an “Ordinance Amending Chapter X, “Fees and Permits,” Section 10-5, “Health” Sub-Section 10-5.2(H), “Aquifer Test And Analysis” of the Revised General Ordinances of the Township of Hopewell,” will be carried to the February 26th meeting as the Health Officer was unable to attend the meeting.

ADDITIONAL ITEMS FOR MEETING AGENDA

Mayor Kuchinski announced two additional items for the agenda: A Resolution Appointing a Member to the Senior Advisory Board and a Resolution Authorizing Professional Service Agreements.

Mayor Kuchinski announced the date and pertinent information regarding the public information session on the Diverty Road and Zaitz area to be held at Hopewell Valley Central High School.

EXECUTIVE SESSION RESOLUTION. Read into the record.

Mayor Kuchinski stated that the regular meeting would reconvene following the Executive Session.

Motion by McLaughlin, seconded by Blake to go to Executive Session to discuss contract negotiations, real estate, legal and personnel matters.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-58

EXECUTIVE SESSION RESOLUTION

WHEREAS, it is necessary for the Township Committee to discuss contract negotiations, real estate, legal, and/or personnel matters; and

WHEREAS, N.J.S.A. 10:4-12 permits the Township Committee to conduct a meeting from which the public is excluded in order to discuss such matters; and

WHEREAS, the Township Committee wishes to discuss the following:

- Legal
 - PennEast Pipeline
 - Aunt Molly Road
 - Woodward & Curran
 - Econsult
- Contract Negotiations
 - Shared Services Agreement
 - Senior Center
 - Pennington Borough
 - Hopewell Borough
- Real Estate
 - Westrum Tract
 - SADC Farm Preservation – Gillespie
 - SADC Farm Preservation - Regan

WHEREAS, the time when and circumstances under which discussion conducted in executive session may be disclosed to the public is when appropriate.

NOW, THEREFORE, BE IT RESOLVED, on this 13th day of February, 2018 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Township Committee shall forthwith conduct an executive session to discuss the above.

At 7:07 p.m. the Executive Session was held.

At 7:58 p.m. the Regular meeting reconvened.

PRESENTATION – JCP&L – Grid Reliability

Robert Walton, Area Manager of Jersey Central Power and Light stated that there have been several liability issues in Hopewell Township over which the Mayor has met with representatives of JCP&L to discuss.

Mr. Walton presented the following:

- Hopewell Township is served by three substations.
 - Diagrams of circuitry.
 - Historic reliability for Hopewell Township and the average number of outages per year.
 - Response time for outages.
 - Average total time a customer is without power for a year of a Hopewell Township resident versus an average JCP&L customer.
 - Projects completed in 2016 and 2017.
 - Projects that have been investigated and will be implemented in the first half of 2018.
 - New line from Rocktown substation to Moore substation will give another path to provide electricity from that substation.
 - Due diligence process.
-

COMMITTEE MEMBERS AND STAFF REPORTS

Mr. Kataryniak announced the date and time for a public meeting scheduled at the Hopewell Valley Central High School cafeteria regarding the Diverty Road alternatives for improvements in that area.

Ms. Borges reported that the municipal budgets are being actively worked upon; advised that the State of NJ has given a two week extension for submission of the annual financial statement; the 2018 budget will not need to be introduced into the FAST system but will need to be adopted in the system; and announced the tax sale date has been set for April 18, 2018. Ms. Borges also reported that she is working on updates to the CTM compliance system with the State of New Jersey regarding affordable housing and announced that construction in the Municipal Building has begun in order to move the Tax Collector and Tax Assessor's Offices into the former Administrator's Office in an effort to provide ease of access to the public.

Committee Member Ruger reported on Public Works' efforts to improve drainage in anticipation of and during the rain storm; flooding issues and pothole repair.

Committee Member McLaughlin reported that Titus Mill Road will be discussed for a future agenda item and provided an update on the Senior Center renovation in Pennington.

Committee Member Hart announced that the Sourlands will hold a deer symposium at the Elks Club and he will be representing the Agriculture Committee and the Deer Advisory Committee.

Committee Member Blake reported that the Historic Preservation Committee has been attempting to obtain a matching grant for the Hart's Corner Schoolhouse; announced the date of the next Historic Preservation Committee meeting; gave an overview of her meetings regarding the Trenton Water Works; and advised residents desiring lead testing that Isles Homes, located in Trenton, offered free lead testing and those interested should visit their website. Committee Member Blake also reported that she, as safety liaison, will be meeting with the heads of emergency services to get a sense of how the Committee can better support emergency services within the town.

Mayor Kuchinski reported on his attendance at the NJ Conference of Mayors' Winter Summit in Trenton at which they addressed the prepayment of taxes and affordable housing reform.

PUBLIC SECTION

The following members of the public spoke during public comment.

Jon Edwards, a resident of Pennington Harbourton Road, expressed his desire that the information session on Diverty Road be held as a work session meeting so that all Committee Members may attend; made comments regarding Pennytown; commented on resurrecting a Cable TV Advisory Committee and Comcast service issues; and made comments regarding his electric service problems.

Harvey Lester, a resident of Continental Drive, questioned the availability of Executive Session, Regular and Special meeting minutes. Ms. Galella responded to Mr. Lester's question as it relates to the Open Public Meetings Act.

Melanie Philips, a resident of Washington Crossing-Pennington Road, questioned the name of the Assemblyman working on the bill for a one year moratorium on affordable housing; cited a report from M2 Associates regarding water in Hopewell Valley with respect to Diverty Road and asked for a similar study to be done again.

James Burd, a resident of Nursery Road, questioned if any of the Health Ordinances being introduced would be related to the affordable housing units; and expressed his concerns for the

development behind the Shoprite and the Diverty/Reed Road area; and called attention to a possible error in one of the Ordinances for introduction.

Andrew Borders, a resident of Hilton Court, thanked Deputy Mayor Blake for her attendance at the Trenton City Council Meeting on February 1 and urged her to continue to prevail upon Trenton Water Works to provide safe water. Mr. Borders made positive statements regarding the affordable housing prospective and cited specific instances the development could bring constructive change to the Township.

Patricia Cronheim, a resident of Penn View Drive, member of Rethink Energy New Jersey, founder and leader of Hopewell Township Citizens Against the PennEast Pipeline and member of the Township's Pipeline Task Force, encouraged the Committee to stand strong with the homeowners of Hopewell Township against the PennEast Pipeline. Ms. Cronheim reported that there have been 28 homeowners in the Township who will be defendants in condemnation suits that PennEast is now serving and spoke of the issues surrounding the pipeline.

Jon Edwards asked the Committee if they considered, as an alternative to the course of action the Township Committee took, the creation of a Hopewell Township Housing Authority or equivalent to take personal control within the Township of the number of affordable market rate units.

Annie Mingle, a resident of Harbourton Woodsville Road, questioned the status of Pennytown; the Hiohela pond; and the historical house.

John Muscente, a resident of Crest Avenue, asked what type of enforcement exists to ensure septic systems are replaced in a home that is foreclosed upon and resold. Mr. Kataryniak was asked to consult with Mr. English regarding this issue.

The detailed public comment may be viewed at www.hopewelltp.org in the video library.

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Kuchinski read by title the introduced ordinance:

ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XVI,
"HEALTH" SECTION 16-2, INDIVIDUAL SEWAGE DISPOSAL CODE
OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF
HOPEWELL (1978)

Motion by McLaughlin, seconded by Blake to introduce the ordinance.

MOTION UNANIMOUSLY CARRIED

Mayor Kuchinski declared the public hearing open.

Motion by Blake, seconded by Ruger to continue the Public Hearing on February 26, 2018.

MOTION UNANIMOUSLY CARRIED

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Kuchinski read by title the introduced ordinance:

AN ORDINANCE AMENDING CHAPTER X, "FEES AND PERMITS,"
SECTION 10-5, "HEALTH" SUB-SECTION 10-5.2(h), "AQUIFER TEST
AND ANALYSIS" OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF HOPEWELL

Motion by Hart, seconded by Blake to introduce the ordinance.

MOTION UNANIMOUSLY CARRIED

Mayor Kuchinski declared the public hearing open.
Motion by Blake, seconded by McLaughlin to continue the Public Hearing on February 26, 2018.
MOTION UNANIMOUSLY CARRIED

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Kuchinski read by title the introduced ordinance:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XV, "STREETS AND SIDEWALKS," SECTION 15-5, "SNOW AND ICE REMOVAL," OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL, NEW JERSEY (1978)

Mayor Kuchinski declared the public hearing open.

John Muscente, expressed his belief that police would enforce this Ordinance on landscapers and not on residents who blow snow into the road and also stated there are certain properties within the Township that have no property to put the snow and it must be pushed across the street to dispose.

Motion by McLaughlin, seconded by Ruger to close public hearing.
MOTION UNANIMOUSLY CARRIED

Motion by McLaughlin, seconded by Blake to adopt the introduced ordinance.

ROLL CALL VOTE:

AYES: Blake, Hart, McLaughlin, Ruger, Mayor Kuchinski

NOES: None

ORDINANCE ADOPTED

Ordinance advertised February 2, 2018, Hopewell Valley News. Posted municipal bulletin board as required by law.

ORDINANCE NO. 18-1682

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XV, "STREETS AND SIDEWALKS," SECTION 15-5, "SNOW AND ICE REMOVAL," OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL, NEW JERSEY (1978)

**Explanation: Material Bracketed [] is deleted
Material Underlined ____ is added**

WHEREAS, the Township requires that snow and ice be removed from sidewalks by the owner or tenant of lands abutting the street within 24 hours of a snowfall; and

WHEREAS, the Township is empowered to clear the sidewalks of snow and ice and charge the fee for so doing as a lien against the property, but has no explicit authority to fine the property owner or tenant who fails to remove the snow or ice in a timely manner.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hopewell as follows:

SECTION 1. Chapter XV, "**STREETS AND SIDEWALKS**," Subsection 15-5, "**SNOW AND ICE REMOVAL**," is hereby amended and supplemented as follows:

15-5 SNOW AND ICE REMOVAL.

15-5.1 General Requirements. The owner or tenant of any lands abutting and having frontage on any street, whether residential or nonresidential, shall remove all snow and ice from the sidewalks along the frontage of said lands so as to provide for safe use of said sidewalk within 24 hours after the snow and ice shall have fallen or have been formed.

15-5.2 Private Streets and Homeowner Associations. The owner of any private street or the homeowner/property owner association shall remove all snow and ice from all common sidewalks, common passageways, common driveways, common parking areas and private streets within 24 hours after the snow and ice shall have fallen or have been formed. Snow and ice removal shall provide for safe and unobstructed ingress, egress and use of said amenities/facilities by fire, police, ambulance, and any other emergency vehicles as well as the residents that routinely use said amenities/facilities. When the homeowner/property owner association documents specifically delegate snow and ice removal for that portion of common sidewalks and common passageways that traverse the frontage of a specific condominium lot, then snow and ice removal on those common sidewalks and common passageways shall be performed by the assigned party at the assigned location in accordance with this section.

15-5.2a Public Streets and Sidewalks. No snow or ice from driveways, parking lots, or privately owned sidewalks shall be placed in a public street or public sidewalk. Snow shall also not be piled or mounded in a manner that impedes the view within a sight triangle of an intersection. Should this occur, the owner on record of said originating property shall be held responsible and is subject to Enforcement as listed in 15-5.3 and 15-5.4.

15-5.3 Enforcement. The provisions of section 15-5 shall be enforced by any duly authorized agent or employee at Hopewell Township. Any person found guilty of a violation of this section shall be liable for a penalty of a maximum of five hundred dollars (\$500). The township may also take such other actions as it deems necessary to correct such violation, consistent with subsection 15-5.4.

15-5.4 Removal by Township; Costs to Become Lien. If snow or ice is not removed as required by subsections 15-5.1, [and] 15-5.2 and 15-5.2a, it shall be lawful for the department of public works to cause the work required to be performed and paid for out of municipal funds available for that purpose. The cost of such work shall be certified by the township engineer to the department or person having charge of the collection of assessments in the municipality. Upon filing said certificate of costs, the amount of the cost of such work shall be and become a lien upon the abutting lands in front of which such work was done to the same extent that assessments for local improvements are liens in the municipality and shall be collected in the manner provided by law for the collection of such other assessments and shall bear interest at the same rate. In addition thereto, the municipality may commence, in any court having competent jurisdiction thereof, an action against the owner of said lands to recover said amount.

SECTION 2. This ordinance shall take effect immediately upon final passage and publication in accordance with law.

ORDINANCE – INTRODUCTION AND FIRST READING

Mayor Kuchinski read by title the ordinance for introduction:

CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

Motion by Blake, seconded by Ruger to introduce the ordinance on first reading.

ROLL CALL VOTE:

AYES: Blake, Hart, McLaughlin, Ruger, Mayor Kuchinski

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date February 26, 2018 at 7:00 p.m.

CONSENT AGENDA ITEMS

RESOLUTIONS #18-59 THROUGH #18-61, Read by title.

Motion by Hart, seconded by Blake to adopt Resolution #18-59 through #18-61.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-59

**RESOLUTION FOR PAYMENT OF PREMIUM TO
TOWNSHIP TREASURER**

WHEREAS, on September 23, 2009 Tax Lien Certificate #09-00014 was sold to US Bank Cust- SASS Muni V DTR (this Certificate was subsequently transferred to Helios Iota LLC) on property located on Block 91 Lot 14.02, known as 1607 Reed Road, assessed to Giovacchini Mary P, and

WHEREAS, the Certificate was sold at a premium of \$18,000.00, and

WHEREAS, on September 14, 2017 Helios Iota LLC foreclosed on the above property known as Block 91 Lot 14.02, and the Township of Hopewell was notified of this foreclosure on January 31, 2018; and

WHEREAS, NJ Statute 54:5-33 states that premiums are to be turned over to the Treasurer of the municipality if redemption is not made within five (5) years from date of sale; due to foreclosure this lien will not be redeemed; and

WHEREAS, the Tax Collector may now release the premiums to the Township Treasurer in accordance with NJ Statute 54:5-33.

NOW, THEREFORE, BE IT RESOLVED, on this 13th day of February 2018, that The Township Committee of the Township of Hopewell, Mercer County, State of New Jersey, hereby authorize the Tax Collector to release the premium to the Township Treasurer.

BE IT FURTHER RESOLVED that a copy of this approved resolution is forwarded to the Tax Collector and Chief Financial Officer

R E S O L U T I O N #18-60

**A RESOLUTION AUTHORIZING REFUNDS FOR
HOPEWELL TOWNSHIP RECREATION DEPARTMENT
PROGRAM PARTICIPANTS**

WHEREAS, registration fees were paid for participation in a variety of programs sponsored by the Hopewell Township Recreation Department; and

WHEREAS, some participants have requested a refund in accordance with department policy;

NOW, THEREFORE, BE IT RESOLVED, on this 13th day of February, 2018 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following program refunds be and are hereby authorized:

Patricia Stanton 87 East Prospect Street Hopewell, NJ 08525 \$130.00

R E S O L U T I O N #18-61

**A RESOLUTION DIRECTING THE HOPEWELL TOWNSHIP ZONING OFFICER TO
ISSUE A TEMPORARY ACTIVITIES PERMIT TO HOPEWELL VALLEY VINEYARD
FOR A WEDDING EVENT AT THE HOPEWELL VALLEY VINEYARD**

WHEREAS, the Reed/Price families seek permission to use the Hopewell Valley Vineyard property located at 46 Yard Road, Pennington, on April 21, 2018 for a “Wedding Event” from 6:00 p.m. – 11:00 p.m.; and

WHEREAS, this proposal has been reviewed by the Hopewell Township Attorney who has advised that this proposal can be authorized under a Temporary Activities Permit issued by the Hopewell Township Zoning Officer; and

WHEREAS, this request has been reviewed by the Hopewell Township Health Department, Hopewell Township Police Department, and Hopewell Valley Fire Safety who have raised no objections;

NOW, THEREFORE, BE IT RESOLVED, on this 13th day of February 2018, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Hopewell Township Zoning Officer be directed to issue a Temporary Activities Permit to Hopewell Valley Vineyard for the “Reed/Price Wedding Event” on April 21, 2018 subject to receipt of all final approvals and comments from the Hopewell Township Health Officer, Hopewell Township Police, Hopewell Valley Fire Safety, and Zoning Officer, and subject to any relevant restrictions on use, noise, signs, etc. or other permits as may be required:

- 1) **Hopewell Valley Fire Safety excludes the use of the bottling/processing building for this event.**

RESOLUTION #18-62. Read by title.

Motion by McLaughlin, seconded by Ruger to adopt Resolution #18-62.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-62

A RESOLUTION APPOINTING MICHAEL SCOZZARO AS LABORER IN PUBLIC WORKS DEPARTMENT

BE IT RESOLVED, on this 13th of February by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that Michael Scozzaro be and is hereby appointed as Laborer in the Hopewell Township Public Works Department.

BE IT FURTHER RESOLVED that Michael Scozzaro be compensated at an annual salary of \$40,859.03.

BE IT FURTHER RESOLVED that this appointment is effective February 20, 2018.

RESOLUTION #18-63. Read by title.

Motion by Blake, seconded by McLaughlin to adopt Resolution #18-63.

ROLL CALL VOTE:

AYES: Blake, Hart, McLaughlin, Mayor Kuchinski

NOES: None

ABSTAIN: Ruger

R E S O L U T I O N #18-63

A RESOLUTION FOR AN EMERGENCY TEMPORARY APPROPRIATION

WHEREAS, an emergent condition has arisen with respect to the below listed items and no adequate provision has been made in the 2018 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2018 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$1,096,390.00

NOW, THEREFORE, BE IT RESOLVED, on this 13th day of February 2018, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the

provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:

** Fleet Maint S/W	\$ 18,000.00
Finance O/E	\$ 200.00
Admin O/E	\$ 9,250.00
Medical O/E	\$ 565,000.00
Bldgs & Grounds	\$ 15,000.00
Legal O/E	\$ 50,000.00

Total for PSA's \$ 657,450.00

2. That said emergency temporary appropriation has been provided for in the 2018 budget under the title of:

As listed in 1 above

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

RESOLUTION #18-64. Read by title.

Motion by Hart, seconded by Blake to adopt Resolution #18-64.

ROLL CALL VOTE:

AYES: Blake, Hart, McLaughlin, Ruger, Mayor Kuchinski

NOES: None

RESOLUTION #18-64

**A RESOLUTION FOR AN
EMERGENCY TEMPORARY APPROPRIATION
IN THE SBRSA SEWER UTILITY BUDGET**

WHEREAS, an emergent condition has arisen with respect to the below listed items and no adequate provision has been made in the 2018 SBRSA sewer utility temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2018 for the SBRSA sewer utility pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$71,882.02

NOW, THEREFORE, BE IT RESOLVED, on this 13th day of February 2018, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:

O/E	\$71,882.02
Total	\$71,882.02

2. That said emergency temporary appropriation has been provided for in the 2018 budget under the title of:

As listed in 1 above

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

RESOLUTION #18-65. Read by title.

Motion by McLaughlin, seconded by Ruger to adopt Resolution #18-65.

MOTION UNANIMOUSLY CARRIED

RESOLUTION #18-65

**2018 DEBT SERVICE RESOLUTION
(MATURING ON FEBRUARY 15, 2018)
AS AMENDED**

WHEREAS, N.J.S.A. 40A:4-19 provides authority for appropriating in a resolution the permanent debt service requirements for the coming fiscal year; and

WHEREAS, debt service payments will be due on February 15, 2018, on a 2010 Bond issued and outstanding;

NOW, THEREFORE, BE IT RESOLVED on this 13th day of February 2018, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following appropriations be made to cover the payments due February 15, 2018.

DEBT SERVICE – TOWNSHIP OF HOPEWELL 2010 BONDS

	<u>Interest</u>	<u>Principal</u>
Current Fund	\$145,187.16	\$ 822,160.00
Open Space	\$ 38,655.65	\$ 411,240.00
Affordable Housing	\$ 23,853.31	\$ 246,600.00
TOTAL	\$207,696.12	\$1,480,000.00

RESOLUTION #18-66 and 67. Read by title.

Motion by McLaughlin, seconded by Blake to adopt Resolution #18-66 and 67.

MOTION UNANIMOUSLY CARRIED

RESOLUTION #18-66

**2018 DEBT SERVICE RESOLUTION
(MATURING ON April 1, 2018)**

WHEREAS, N.J.S.A. 40A:4-19 provides authority for appropriating in a resolution the permanent debt service requirements for the coming fiscal year; and

WHEREAS, debt service payments will be due on April 1, 2018, on a 2015 Bond issued and outstanding;

NOW, THEREFORE, BE IT RESOLVED on this 13th day of February 2018, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following appropriations be made to cover the payments due April 1, 2018.

DEBT SERVICE – TOWNSHIP OF HOPEWELL 2015 BONDS

	<u>Interest</u>	<u>Principal</u>
Current Fund	\$84,655.00	\$ 395,000.00
Sewer Utility	\$ 9,152.50	\$ 35,000.00
TOTAL	\$93,807.50	\$430,000.00

RESOLUTION #18-67

**2018 DEBT SERVICE RESOLUTION
(MATURING ON APRIL 1, 2018)**

WHEREAS, N.J.S.A. 40A:4-19 provides authority for appropriating in a resolution the permanent debt service requirements for the coming fiscal year; and

WHEREAS, debt service payments will be due on April 1, 2018, on a 2006 Bond refunding issued and outstanding;

NOW, THEREFORE, BE IT RESOLVED on this 13th day of February 2018, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following appropriations be made to cover the payments due April 1, 2018.

DEBT SERVICE – TOWNSHIP OF HOPEWELL 2006 BONDS - refunding

Interest

Current Fund	\$125,882.96
Water Fund	1,023.75
Sewer Fund	10,351.25
Open Space	58,642.05

TOTAL \$195,900.01

RESOLUTION #18-68. Read by title.

Motion by McLaughlin, seconded by Ruger to adopt Resolution #18-68.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #17-68

**A RESOLUTION AUTHORIZING LOCAL REVIEW
OF THE 2018 MUNICIPAL BUDGET**

WHEREAS, N.J.S.A. 40A:4-78b has authorized 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 Hopewell 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 2018 budget year.

NOW, THEREFORE, BE IT RESOLVED, on this 13th day of February 2018, by the Governing Body of the Township of Hopewell 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 has found 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 and associated amendments have been introduced and 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 be forwarded to the Director of the Division of Local Government Services upon adoption.

RESOLUTION #18-69. Read by title.

Motion by Blake, seconded by Hart to adopt Resolution #18-69.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-69

**A RESOLUTION AMENDING 2017
PROFESSIONAL SERVICES AGREEMENTS**

WHEREAS, the Township entered into Professional Services Agreements with the firm noted below; and

WHEREAS, it is necessary to amend this agreement to change the amount and/or the term of the contract; and

WHEREAS, the Chief Financial Officer has certified that the funds are available.

NOW, THEREFORE, BE IT RESOLVED on this 13th day of February, 2018 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Professional Services Agreements be and are hereby amended as follows:

<u>FIRM</u>	<u>CURRENT MAXIMUM</u>	<u>PROPOSED MAXIMUM</u>	<u>CURRENT TERM EXPIRES</u>	<u>PROPOSED TERM EXPIRES</u>
Van Cleef Engineering Associates (General Engineering) 7-01-20-165-028	\$50,000.00	\$58,195.67	12/31/17	No Change
Van Cleef Engineering Associates (Engineering Stormwater) 7-01-20-165-028	\$ 7,330.12	\$ 0.00	12/31/17	No Change
Mason, Griffin & Pierson (Zoning Board Attorney) 7-01-21-190-028	\$30,500.00	\$30,816.72	12/31/17	No Change
Francis P. Linnus, Esq. (Legal Planning Board) 7-01-21-190-028	\$17,173.50	\$19,370.75	12/31/17	No Change
PCH Development Corporation (Affordable Housing Administrative Services) X-14-17-927-028	\$34,800.00	\$34,912.00	12/31/17	No Change
M2 Associates (Legal Hydrogeologic Consulting) 7-01-20-115-028	\$ 1,833.19	\$ 156.25	12/31/17	No Change
Ruderman, Horn & Esmerado, P.C. (Policy Revision & Training Services) 7-01-20-115-028	\$ 5,000.00	\$ 4,389.00	12/31/17	No Change

Harry Haushalter (Legal services Tax appraisals/tax appeals) 7-01-20-115-028	\$40,000.00	\$42,016.58	12/31/17	No Change
Econsult Solutions Representation of collective interests in the Trial on Fair Share methodological issues) X-14-16-927-028	\$52,432.48	\$59,922.86	12/31/17	No Change
Van Cleef Engineering Associates (Engineering Wastewater) 7-01-20-165-028	\$ 1,500.00	\$ 0.00	12/31/17	No Change
Van Cleef Engineering Associates (Engineering Zoning Matters) 7-01-21-190-028	\$ 1,000.00	\$ 0.00	12/31/17	No Change
Ferriero Engineering, Inc. (Conflict Engineering Planning Board) 7-01-21-190-028	\$ 1,000.00	\$ 0.00	12/31/17	No Change

RESOLUTION #18-70. Read by title.
Motion by Ruger, seconded by Blake to adopt Resolution #18-70 as amended.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-70

A RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO EXECUTE A 2017 JOINT FUNDING AGREEMENT FOR NEW JERSEY WATER SCIENCE CENTER WATER RESOURCES INVESTIGATIONS BY THE U.S. GEOLOGICAL SURVEY, DEPARTMENT OF THE INTERIOR WITH THE TOWNSHIP OF HOPEWELL

BE IT RESOLVED, that the Township Administrator is hereby authorized and directed to execute a 2017 Joint Funding Agreement for New Jersey Water Science Center Water Resources Investigations by the U.S. Geological Survey, United States Department of the Interior with the Township of Hopewell.

RESOLUTION #18-71. Read by title.
Motion by Blake, seconded by McLaughlin to adopt Resolution #18-71.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-71

A RESOLUTION AUTHORIZING THE PURCHASE OF GOODS OR SERVICES THROUGH STATE OF NEW JERSEY CONTRACTS AND (5) CO-OPERATIVE PRICING AGREEMENTS

WHEREAS, the Township of Hopewell has the need to purchase various goods or services in the 2018 fiscal year; and

WHEREAS, it is anticipated that some goods or services will exceed the bidding threshold of \$40,000., as established in the Local Public Contracts law by commodity, in the aggregate; and

WHEREAS, all State Contract and Cooperative Pricing Agreements awards have been publicly bid; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:11-12 municipalities are permitted the use of some awarded New Jersey State Contracts; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:11-11 municipalities are permitted to enter into Cooperative Pricing Agreements, whereby permitting them use of those awarded contracts; and

WHEREAS, Hopewell Township, by resolution is already a member of the following four Cooperative Pricing Agreements and desires continued use of these in 2018;

Mercer County #CK09Mercer

Somerset County #2-SOCCP

Educational Services Commission of New Jersey #65MCESCCPS (formerly known as

Middlesex Regional Educational Services Commission)

National Joint Powers Alliance, Member # 28050

National Cooperative Purchasing Alliance Region 14 ESC

NOW, THEREFORE BE IT RESOLVED, on this 13th day of February 2018 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that it hereby authorizes the purchase of goods and services from New Jersey State Contract and Cooperative Pricing Agreement Vendors.

RESOLUTION #18-72. Read by title.

Motion by Blake, seconded by McLaughlin to adopt Resolution #18-72.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-72

**A RESOLUTION TO APPROVE PARKS &
RECREATION PROGRAM FEES**

WHEREAS, the Hopewell Township Parks and Recreation Department sponsors Community Trips for Hopewell Township Residents and their guests and a variety of Summer Camps and Activities for youth; and

WHEREAS, the Recreation Advisory Committee has reviewed and approved the following Program Fees for the 2018 year as follows:

2018 PROGRAM/ACTIVITY FEES

<u>Community Trips</u>	<u>Program Fee</u>	<u>Twp. Res. Fee</u>
Various Community Trips		Range of \$30 to \$180 with 15% higher to Non-Hopewell Township Residents
<u>Summer/Winter Camps per week</u>		
Art in the Park	\$170	\$170
Baseball	\$190	\$170
Bricks 4 Kidz Camp	\$190	\$170
Field Hockey Camp	\$190	\$170
Skate Camp	\$180	\$165
Soccer Conditioning Camp	\$160	\$145
Teen Travel Camp	\$355	\$325
Volleyball Camp	\$190	\$170
<u>Seasonal Programs/Activities</u>		
Field Hockey League (7 sessions)	\$135	\$120

Girls Soccer Technical Training (8 sessions)	\$195	\$180
Boys Soccer League (7 sessions)	\$180	\$160
Softball Clinics (6 sessions)	\$155	\$140
Junior Bulldogs Wrestling (season)	\$195	\$175
Bulldog Wrestling Summer Camp	\$155	\$140
Speed & Agility Training	\$130	\$115
Camp/program registration late fee	\$ 20	\$ 20

NOW, THEREFORE, BE IT RESOLVED, on this 13th day of February, 2018, that the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, approves the above 2018 Program/Activity Fee Schedule.

RESOLUTION #18-73. Read by title.
 Motion by Blake, seconded by McLaughlin to adopt Resolution #18-73.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-73

A RESOLUTION NAMING THE TWIN PINES RECREATION AREA

WHEREAS, Hopewell Township acquired a tract of land formerly known as the Twin Pines Airport, to ensure that these acres would be preserved for the residents of Hopewell Township to enjoy and utilize as both an active and passive recreation area; and

WHEREAS, this tract of land is located along Pennington - Lawrenceville Road, Block 75, Lots 8, 9, 10.1, 10.2, and 10.3 and encompasses 54 acres; and

WHEREAS, this tract of land is the site of the Hopewell Township multi-purpose turf field that is utilized by many residents, youth sport organizations, and adult sport organizations; and

WHEREAS, this tract of land is the site of future growth of both active and passive recreation opportunities in our community; and

WHEREAS, the Hopewell Township Parks and Recreation Advisory Committee is recommending that this tract of land be appropriately and formally named as the Twin Pines Recreation Area.

NOW THEREFORE, BE IT RESOLVED on this 13th day of February, 2018, that the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, accepts the recommendation of the Recreation Advisory Committee and hereby names this tract of land the Twin Pines Recreation Area.

RESOLUTION #18-74. Read by title.
 Motion by McLaughlin, seconded by Blake to adopt Resolution #18-74.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-74

A RESOLUTION APPOINTING A MEMBER TO THE SENIOR ADVISORY BOARD

BE IT RESOLVED, on this 13th day of February, 2018 that the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, does hereby appoint Nils Stout, as a member of the Senior Advisory Board to an unexpired term expiring December 31, 2018.

RESOLUTION #18-75. Read by title.

Motion by McLaughlin, seconded by Ruger to adopt Resolution #18-75.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-75

**A RESOLUTION AUTHORIZING
PROFESSIONAL SERVICES AGREEMENTS**

WHEREAS, there exists a need for professional services for the following: Legal services related to the PennEast Pipeline; and legal services related to PennEast Pipeline Condemnation Actions; and

WHEREAS, the estimated cost of the contract is \$40,000.00 (8-01-20-115-028) for legal services related to the PennEast Pipeline; and \$10,000.00 (8-01-20-115-028) for legal services related to PennEast Pipeline condemnation actions; and funds will be available in the 2018 budget appropriations for this purpose certified by the local finance officer encumbered in the accounts referenced above; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hopewell, as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreements with:

Katelyn M. McElmoyl, Esq. of Parker McCay, P.A. for legal services related to the PennEast Pipeline;

Timothy Duggan, Esq. of Stark & Stark for legal services related to PennEast Pipeline Condemnation Actions

2. The contracts are awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5 (1)(a) as a contract for services to be performed by persons authorized by law to practice recognized professions that are regulated by law and it is not possible to obtain competitive bids.

3. A notice of this action shall be published once in the official newspaper as required by law.

RESOLUTION #18-76. Read by title.

Motion by Hart, seconded by Blake to adopt Resolution #18-76.

ROLL CALL VOTE:

AYES: Blake, Hart, McLaughlin, Ruger, Mayor Kuchinski

NOES: None

R E S O L U T I O N #18-76

BILLS & CLAIMS

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment date February 13, 2018 in the following amounts:

Bills and Claims	\$ 403,222.22
Payroll	\$ 357,135.15
Total Disbursements	\$ 706,357.37

Itemized and listed on the submitted schedule are hereby approved and filed as a record as part of the minutes of this meeting.

WORK SESSION – HART’S CORNER SCHOOL HOUSE

Committee Members discussed providing a matching grant of \$15,000 for the restoration of the Hart’s Corner School House as requested by the Historic Preservation Commission as well as the

creation of a lease for the property between the Township and the Historic Preservation Commission. Members of the Committee were unanimous in their support for both requests.

FUTURE AGENDA ITEMS

Titus Mill Road and CSX Bridge Flood Remediation

PUBLIC SECTION

The following members of the public spoke during public comment:

Patricia Cronheim, thanked the Township Committee for fighting the PennEast Pipeline.

The detailed public comment may be viewed at www.hopewelltp.org in the video library.

At 9:55 p.m., Motion by Hart, seconded by Blake to adjourn the meeting.

MOTION UNANIMOUSLY CARRIED

The detailed public meeting may be viewed at www.hopewelltp.org in the video library.

LAURIE E. GOMPF
MUNICIPAL CLERK