

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

Monday, February 25, 2019 – 7:04 p.m.

PROPER STATEMENT OF NOTICE – Mayor McLaughlin 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 February 21, 2019, 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, Kuchinski, Ruger, Mayor McLaughlin

ABSENT: None

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

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

COMMITTEE MEMBERS AND STAFF REPORTS

Mr. Kataryniak reported on the detour for Pennington-Rocky Hill Road.

Committee Member Hart indicated he would continue to request four-way stops at certain intersections until they are approved.

Committee Member Blake reported that the NJ Department of Health and Human Services 2019 Board of Health Registration and 2018 Annual Report have been completed and submitted; announced the details of the Greater Mercer Public Health Partnership Community Advisory Board Meeting; provided information regarding Hopewell Valley Night Out; and provided an update on the work performed by Public Works.

Committee Member Kuchinski announced that the school district will be holding a community-wide program regarding diversity and engagement within the community and promoted addressing the issue of County-wide taxes with Mercer County.

Mayor McLaughlin noted that although the evening's meeting was originally advertised as an agenda meeting, there were time sensitive issues which needed to be discussed in Executive Session and it was felt converting the agenda meeting into a special meeting was warranted to facilitate certain public business. She advised those in attendance that answers to questions asked at the last public meeting will not be forthcoming until the next regular public meeting.

PUBLIC SECTION

The following members of the public spoke during public comment:

Cheryl Edwards, a resident of Pennington Harbourton Road, requested an update on the sale of Pennytown; the status of the Redevelopment on Scotch Road; questioned if the Committee was planning to enter into a PILOT Agreement on the west side of Scotch Road; and inquired if the Committee will adopt a resolution supporting Assembly Bill A-4904.

Harvey Lester, a resident of Continental Lane, requested the sum of the surplus at the beginning of 2018; inquired as to the amount allocated for the 2018 budget; the amount spent in the 2018 budget; and requested the sum in the surplus budget in the beginning of 2019.

Jon Edwards, a resident of Pennington Harbourton Road, stated he reviewed the Planning Board Meeting minutes for the last several years and saw nothing with regard to stormwater management; urged the Committee to work with the Watershed in upgrading the Township's stormwater management plan; reiterated his objection to signs in violation of the Township's sign ordinance; and provided his opinion regarding public comments being directed to and through the Mayor.

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

CONSENT AGENDA ITEMS

RESOLUTION #19-82, Read by title.

Motion by Hart, seconded by Ruger to adopt Resolution #19-82.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #19-82

A RESOLUTION APPROVING THE PAYMENT OF UNUSED ANNUAL LEAVE, SICK AND COMPENSATORY TIME TO LIEUTENANT CHRISTOPHER H. KASCIK

WHEREAS, Lieutenant Christopher H. Kascik retired February 1, 2019 from employment with the Hopewell Township Police Department; and

WHEREAS, the Agreement between Hopewell Township and the Hopewell Township Police Benevolent Association provides to employees who retire from service the payment of unused annual leave, sick and compensatory time at their current hourly rate.

NOW, THEREFORE, BE IT RESOLVED on this 25th day of February, 2019 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Township Committee hereby approves the payout of accumulated annual leave, sick and compensatory time as calculated by the Human Resources Director in the amount of \$20,393.83 to Lieutenant Christopher H. Kascik.

RESOLUTION #19-83. Read by title.

Motion by Ruger, seconded by Kuchinski to adopt Resolution #19-83.

ROLL CALL VOTE:

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

NOES: None

R E S O L U T I O N #19-83

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 2019 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 2019 pursuant to the provisions of Chapter 96, PL. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$2,208,395.64.

NOW, THEREFORE, BE IT RESOLVED, on this 25th day of February 2019, 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:

Senior Services O/E	\$	750.00
Bldgs & Grounds S/W		9,000.00
Comm. Dev. S/W		28,000.00
Medical Benefits O/E		262,000.00
Pension O/E		1,440,625.64
Legal O/E		125,000.00
Assessor O/E		18,900.00
Total		\$ 1,8845,275.64

2. That said emergency temporary appropriation has been provided for in the 2019 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 #19-84. Read by title.
Motion by Ruger, seconded by Hart to adopt Resolution #19-84.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #19-84
A RESOLUTION AMENDING
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 25th day of February, 2019 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</u> <u>MAXIMUM</u>	<u>PROPOSED</u> <u>MAXIMUM</u>	<u>CURRENT</u> <u>TERM</u> <u>EXPIRES</u>	<u>PROPOSED</u> <u>TERM</u> <u>EXPIRES</u>
M2 Associates (Well Testing) 9-01-27-330-028	\$ 3,000.00	\$ 1,000.00	12/31/19	No Change

Van Cleef Engineering Associates (Stormwater Matters) 9-01-20-165-028	\$ 7,500.00	\$ 5,000.00	12/31/19	No Change
Van Cleef Engineering Associates (Wastewater Matters) 9-01-20-165-028	\$ 1,500.00	\$ 1,000.00	12/31/19	No Change

RESOLUTION #19-85. Read by title.

Motion by Ruger, seconded by Kuchinski to adopt Resolution #19-85.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #19-85

**A RESOLUTION AUTHORIZING
PROFESSIONAL SERVICES AGREEMENTS**

WHEREAS, there exists a need for professional services for the following: Township Attorney services; PennEast Pipeline legal; appraisal services and tax appeals; and prior year appraisal services; and

WHEREAS, the estimated cost of the contract is not to exceed \$115,000.00 (9-01-20-115-028) for Township Attorney services; \$5,000.00 (9-01-20-115-028) for PennEast Pipeline legal; \$15,000.00 (9-01-20-150-028) for 2019 appraisal services and tax appeals; and \$6,900.00 (9-01-20-150-028) for prior year disputed bills for tax appraisal services and tax appeals; and funds will be available in the 2019 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:

Parker McCay, P.A. for Township Attorney Services;
Parker McCay, P.A. for PennEast Pipeline Legal Services;
Peter E. Sockler for 2019 Appraisal and Tax Appeals;
Peter E. Sockler for prior year disputed bills for Appraisal and Tax Appeals

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 #19-86. Read by title.

Motion by Kuchinski, seconded by Blake to adopt Resolution #19-86.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #19-86

RESOLUTION OF AWARD FORBID #18-09R

ELECTRIC VEHICLE CHARGING STATIONS

WHEREAS, the Township has advertised and received formal bids for Bid # 18-09R Electric Vehicle Charging Stations, in a Fair and Open manner in accord with N.J.S.A 19:44A-20.4 et. Seq., and

WHEREAS, the Township received formal bids on February 13, 2019 at 2:00 P.M., to wit:

		TOTAL PROJECT COST
<i>ZSenak Electric Co</i>		\$99,800.00
<i>Bryan Electric</i>		\$132,868.00

;and,

WHEREAS, ZSenak Electric Co., 1465 Klockner Rd., Hamilton, NJ 08619, at the price of \$99,800.00 submitted the lowest bid; and

WHEREAS, the bid as submitted by ZSenak Electric Co was deemed to be the lowest responsive and responsible bid by the Qualified Purchasing Agent and the Township Engineer; and

WHEREAS, the Qualified Purchasing Agent and Township Engineer recommend award of Bid #18-09R Electric Vehicle Charging Stations Project, to ZSenak Electric Co., 1465 Klockner Rd., Hamilton, NJ 08619 for the bid cost of \$99,800.00; and

WHEREAS, the Chief Financial Officer hereby certifies that funds are available NOT TO EXCEED \$99,800.00, as follows:

2018 Capital Improvement Fund - Account Number X 04 00 674 615

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hopewell, Mercer County, New Jersey, that the recommendation to award is hereby accepted. The bid provided by ZSenak Electric Co., 1465 Klockner Rd., Hamilton, NJ 08619 for bid # 18-09R Electric Vehicle Charging Stations Project in the amount of \$99,800.00; is hereby accepted; and

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Hopewell, Mercer County, New Jersey, that the Mayor is authorized to effectuate a contract with ZSenak Electric Co., 1465 Klockner Rd., Hamilton, NJ 08619, reflecting the precepts as contained within this agreement.

RESOLUTION #19-87. Read by title.

Motion by Ruger, seconded by Blake to adopt Resolution #19-87.

ROLL CALL VOTE:

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

NOES: None

R E S O L U T I O N #19-87

BILLS & CLAIMS

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment date February 25, 2019 in the following amounts:

Bills and Claims	\$	280,050.85
Payroll	\$	339,822.55
Total Disbursements	\$	619,873.40

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

FUTURE AGENDA ITEMS

- A. Rules of Procedure and Conduct of Business
 - B. An Ordinance Updating Solicitation Ordinance and Establishing No-Knock Registry for Senior Citizens
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PUBLIC SECTION

The following members of the public spoke during public comment:

Harvey Lester offered his opinions regarding the information he requested and made certain derogatory remarks. Ms. Galella called Mr. Lester out of order for violating the Township's Rules of Procedure and Conduct of Business.

Jon Edwards commented on his review of the Planning Board minutes as they relate to stormwater management and requested to be directed where he may find information regarding same; and quoted the Open Public Meetings Act.

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

EXECUTIVE SESSION RESOLUTION. Read into the record.

Mayor McLaughlin stated that the regular meeting may reconvene following the Executive Session.

Motion by Blake, seconded by Ruger 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 #19-88

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
- Contract Negotiations
 - Pennytown
- Real Estate
 - BMS
 - Leased Properties
- Personnel

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 25th day of February, 2019 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 7:38 p.m. the Executive Session was held.

At 9:49 p.m. the Regular meeting reconvened.

At 9:49 p.m., motion by Blake, seconded by Ruger 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