

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

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**Monday, March 16, 2020 – 7:02 p.m.**

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**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 January 3, 2020, 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, Ruger, Mayor McLaughlin

**ABSENT:** Kuchinski, Peters-Manning

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

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

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Mayor McLaughlin turned the meeting over to Committee Member Blake who serves as the liaison to the Board of Health.

Committee Member Blake provided an update as to the measures which have been taken to protect the employees and community during the COVID-19 crisis reporting that the Township has been working closely with local, county and state health department officials to monitor, plan for, and mitigate the spread of COVID-19; that since January 31 there have been a series of meetings planning for and creating protocols for emergency crews responding to requests for assistance; that employees and the health officer were met with to creatively allow essential services to continue while keeping contact with the public to a minimum; reported that on March 15 the Township Administrator posted information to the website regarding hours of operation for various services within the Township and asserted that these hours are subject to change at any time. She announced that citizens may remain apprised of any updates on the COVID-19 virus by visiting the Centers for Disease Control’s (CDC) website at [cdc.gov/coronavirus/2019-MCOV](https://www.cdc.gov/coronavirus/2019-MCOV). She also added that Capital Health has their own Coronavirus update link where residents may go to find out the procedures for making a phone call for an emergency.

Committee Member Blake announced that this evening a State of Emergency will be declared in Hopewell Township which will allow the Township to access additional State and Federal resources and to respond quickly to a health threat that changes in magnitude on a daily basis. She thanked the health officer, township employees, business administrator, first responders and partners in emergency services, and stated that each of these individuals and groups are dedicated to protecting the community.

Committee Member Blake stated that we, as a community, are working together towards a common goal with limiting exposure to the virus, protecting all of our citizens, especially the most vulnerable, and ensuring that our health resources are not overwhelmed. She expressed that it takes a community-wide effort to achieve these ends and that she has seen and appreciates the incredible response, acceptance and resolve by the residents to keep everyone healthy. She then provided an update on the number of Coronavirus patients within the Township.

**RESOLUTION #20-105.** Read into the record.

Motion by Blake, seconded by Ruger to adopt Resolution #20-105.

**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #20-105**

**RESOLUTION AMENDING THE BYLAWS OF THE  
HOPEWELL TOWNSHIP COMMITTEE RULES OF  
PROCEDURE AND CONDUCT OF BUSINESS**

**WHEREAS**, the COVID-19 pandemic requires extraordinary steps to be taken to mitigate spread of the virus; and

**WHEREAS**, the Township Committee may be required to conduct meetings by way of communication equipment; and

**WHEREAS**, the Division of Local Government Services has provided guidance reminding local units that, in accordance with N.J.S.A. 10:4-6, et seq. (the “Open Public Meetings Act”), public meetings may be held in person or by means of communication equipment, N.J.S.A. 10:4-8(b), to include streaming services and other online meeting platforms.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hopewell, County of Mercer, that the Committee’s Rules of Procedure and Conduct of Business be and hereby are amended to allow the Committee to meet by means of communication equipment; and

**BE IT FURTHER RESOLVED** that any such meeting shall be held in accordance with requirements of the Open Public Meetings Act and guidance from the Division of Local Government Services.

At 7:12 P.M. Committee Members Kuchinski and Peters-Manning and Attorney Goodell joined the meeting via telephone.

**RESOLUTION #20-106.** Read by title as amended.

Motion by Ruger, seconded by Blake to adopt Resolution #20-106.

**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #20-106**

**RESOLUTION ADOPTING MODIFICATIONS TO  
TOWNSHIP OF HOPEWELL OPERATING PROCEDURES  
IN RESPONSE TO COVID-19**

**WHEREAS**, in response to the COVID-19 pandemic, and in an effort to mitigate the spread of the virus, the Township must alter its normal operating procedures; and

**WHEREAS**, after consulting with committee members, the health officer, and other members of the Administration, the Township Administrator modified those operating procedures; and

**WHEREAS**, the modifications were set forth in the Administrator’s March 13, 2020 memo addressed to Hopewell Township Residents, Business Owners and Others; and

**WHEREAS**, the modifications were effective March 16, 2020; and

**WHEREAS**, the modifications are now being formally considered at the next available Township Committee meeting, as required by the Township Committee Rules of Procedure and Conduct of Business; and

**WHEREAS**, originally modifications were made to the hours of operation for the Senior Center of 11:00 am to 12:30 pm for the Mercer County Nutrition Program; however, those procedures have now been further modified by closing the Senior Center for meal service and allowing for meal pick-up only.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hopewell, County of Mercer, that the modifications to Township of Hopewell operating procedures in response to COVID-19 set forth in the Township Administrator’s March 13, 2020 memo be and hereby are approved as amended.

## **MINUTES SUBMITTED FOR APPROVAL**

Motion by Blake, seconded by Ruger to approve January 27, 2020 Special, Regular and Executive Session Meeting Minutes as amended.

**MOTION UNANIMOUSLY CARRIED**

Motion by Blake, seconded by Ruger to approve February 3, 2020 Special, Regular and Executive Session Meeting Minutes.

**MOTION UNANIMOUSLY CARRIED**

## **PRESENTATION**

**PROCLAMATION - PROCLAIMING MARCH 2020 AS AMERICAN RED CROSS MONTH.** Summarized by Committee Member Kuchinski.

Motion by Blake, seconded by Ruger to adopt Proclamation.

**MOTION UNANIMOUSLY CARRIED**

### **PROCLAMATION**

#### **PROCLAIMING MARCH 2020 AS AMERICAN RED CROSS MONTH**

**WHEREAS**, more than 139 years ago, the American Red Cross was established as a humanitarian organization, guided by seven fundamental principles—including humanity, impartiality and independence—to provide services to those in need regardless of race, religion, gender, sexual orientation or citizenship status. Today, the American Red Cross is one of the largest humanitarian organizations in the world, and delivers its mission every day to prevent and alleviate human suffering in the face of emergencies; and

**WHEREAS**, every year, the American Red Cross responds to an average of more than 62,000 disasters across the country, from small home fires to devastating massive disasters. Last year's large crises included devastating hurricanes, wildfires, storms, floods, tornadoes and earthquakes. Thousands of American Red Cross volunteers provided around-the-clock shelter for disaster victims, served millions of meals and snacks with partners, and distributed millions of relief items; and

**WHEREAS**, in New Jersey, the Red Cross has a long history of helping our neighbors in need. The Red Cross New Jersey Region assisted with 821 local disasters in the past year alone and helped save lives through our Home Fire Campaign. Since the campaign launched in October 2014, the New Jersey Region has worked with community partners to install more than 41,000 smoke alarms. Meanwhile, in our area, the Red Cross handles an average of 7,223 emergency military calls every year and collects an average of 95,000 units of blood from our generous blood donors; and

**WHEREAS**, March is Red Cross Month, a special time to recognize and thank the Red Cross volunteers and donors who give of their time and resources to help members of the community. The Red Cross depends on these local heroes to deliver help and hope during a disaster. We applaud our heroes here in New Jersey who give of themselves to assist their neighbors when they need a helping hand; and

**WHEREAS**, the American Red Cross shelters, feeds and provides emotional support to victims of disasters; supplies about 40 percent of the nation's blood; teaches skills that save lives; provides international humanitarian aid; and supports military members and their families; and

**WHEREAS**, we dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on volunteers and the generosity of the public to perform its mission.

**NOW, THEREFORE, I**, Kristin L. McLaughlin, Mayor of Hopewell Township, by virtue of the authority vested in me by the Constitution and laws of Hopewell Township, County of Mercer and State of New Jersey, do hereby proclaim March 2020 as Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

## **ADDITIONAL ITEMS FOR MEETING AGENDA**

Mayor McLaughlin advised of the following additions to the agenda: A Declaration of a State of Emergency and a Resolution Declaring a Public Health Emergency in the Township of Hopewell

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### **COMMITTEE MEMBERS AND STAFF REPORTS**

Mr. Kataryniak reported that Community Development is continuing to perform business as usual within the Township, reported on road closures and the tree seedling giveaway.

Ms. Borges reported that the recycling event has been canceled and will be rescheduled; that First Energy is doing helicopter work on the lines by Denow Road; and announced the restaurant restrictions set in place by the Governor as well as the information for the recommended curfew.

Committee Member Blake reported on the activities of the Department of Public Works and urged residents to check the website as pickup and other activities may change from day-to-day.

Committee Member Ruger reported that residents may begin seeing red tags on their recycling if it isn't done properly and if recycling does contain contaminants, it will not be picked up. He urged everyone to check up on each other and help each other whenever they can in these emergent times.

Committee Member Kuchinski announced that in light of the public health emergency, all recreation department activities are canceled from March 16 to April 12; refunds will be available by contacting the Recreation Department; future activities will be assessed on April 9; and currently all municipal fields are closed to teams. He also added that all Township meetings will be cancelled with the exception of the Township Committee, Board of Health, Planning and Zoning meetings.

Mayor McLaughlin thanked all the members of the professional staff that have been working under extremely difficult and unprecedented conditions; asked for residents input as to anything the government can do to help; and announced that there will be only one public comment session in order to adhere to the Governor's curfew.

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Lt. William Springer, Office of Emergency Management Director, presented the following Declaration of State of Emergency and explained the reasoning behind declaring a State of Emergency is an effort to allow the Township to receive proper funding and support during this health emergency. He also explained the role of Emergency Management in a situation such as this.

Mayor McLaughlin asked for voice approval to sign the Emergency Declaration and received such approval from the Committee.

### **DECLARATION OF STATE OF EMERGENCY**

#### **TO ALL CITIZENS AND PERSONS WITHIN THE MUNICIPALITY OF HOPEWELL AND TO ALL DEPARTMENTS, BOARDS AND COMMITTEES OF THE MUNICIPALITY OF HOPEWELL**

**WHEREAS**, the rapidly evolving outbreak of the novel coronavirus, COVID-19, creates an urgent need to take preventative measures to reduce risks of exposure to and transmission of the coronavirus by implementing procedures whereby essential operational needs are met while at the same time reducing or eliminating unnecessary gatherings and contact that might further adversely affect the health, safety, and welfare of Hopewell Township's residents and visitors and exacerbate and worsen existing conditions; and

**WHEREAS**, Executive Order No. 103, N.J.S.A. App. A:9-45., and N.J.S.A. App. A:9-40.5 authorize and empower local Offices of Emergency Management to promulgate rules and to waive, suspend, or modify any existing rule where its enforcement would be detrimental to the public welfare, and specifically authorize the local OEM to take appropriate steps to address the public health hazard of COVID-19; and

**WHEREAS**, it has been determined that a state of emergency must be declared in Hopewell Township, and further that certain measures must be taken to ensure that the authorities will be unhampered in their efforts to maintain law and order as well as an orderly flow of traffic and further in order to protect the persons and property of the residents affected by the conditions and finally that governmental operations including but not limited to the conduct of public meetings must be substantially altered; and

**WHEREAS**, the aforesaid laws authorize the promulgation of such orders, rules and regulations as are necessary to meet the various problems which have or may be presented by such an emergency; and

**NOW, THEREFORE**, pursuant to the powers vested in me by Executive Order No. 103, N.J.S.A. App. A:9-45., and N.J.S.A. App. A:9-40.5, and in order to protect the health, safety and welfare of the people of Hopewell Township, I Do Declare and Proclaim that a State of Emergency exists in Hopewell Township and I hereby order the following:

1. All scheduled public meetings held by Hopewell Township's boards, committees and commissions, except for meetings of the Hopewell Township Committee, Hopewell Township Planning Board, Hopewell Township Zoning Board of Adjustment and Hopewell Township Board of Health are hereby cancelled until further notice.
2. All municipally-sponsored events are canceled until further notice.
3. All private events held on municipal property and all events requiring municipal permits are canceled until further notice, including events for which permits have already been issued.
4. The Administrator is temporarily authorized and empowered to hire any employees and to enter into service agreement with any independent contractors as may be necessary to address the needs of the municipality during this period of emergency.
5. Until further notice, all municipal employees are barred from business-related out-of-state travel or attendance at any in-state conference, seminar, or other business-related large group gathering, even if previously approved.
6. All Hopewell Township Agencies shall coordinate and communicate with the Hopewell Valley Office of Emergency Management to utilize all facilities owned, rented, operated and maintained by Hopewell Township to aid and assist persons of Hopewell Township to protect life and property during the course of the emergency.

In addition, during this period of emergency, the public is strongly encouraged to utilize online payment options, U.S. mail, or drop box service at the municipal building to taxes, utility payments, licenses, permits, and other local government business; to utilize phone, email, social media, and the resources available on Hopewell Township's website ([www.hopewelltp.org](http://www.hopewelltp.org)) to make routine inquiries and/or report information to the municipality.

This Order shall take effect immediately and is subject to amendment or supplementation as needed to properly safeguard the public health, safety and welfare. It shall remain in effect until such time as it is determined that an emergency no longer exists.

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**RESOLUTION #20-107.** Read by title.

Motion by Blake, seconded by Ruger to adopt Resolution #20-107.

**MOTION UNANIMOUSLY CARRIED**

#### **R E S O L U T I O N #20-107**

### **DECLARING A PUBLIC HEALTH EMERGENCY IN THE TOWNSHIP OF HOPEWELL, COUNTY OF MERCER, STATE OF NEW JERSEY**

**WHEREAS**, Coronavirus disease 2019 ("COVID-19") is a contagious, and at times fatal, respiratory disease caused by the SARS-CoV-2 virus; and

**WHEREAS**, COVID-19 is responsible for the 2019 novel coronavirus outbreak, which was first identified in Wuhan, China in December 2019 and quickly spread to multiple other countries; and

**WHEREAS**, symptoms of the COVID-19 illness include fever, cough, and shortness of breath, which may appear in as few as two or as long as 14 days after exposure, and can spread from person to person via respiratory droplets produced when an infected person coughs or sneezes; and

**WHEREAS**, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak a "public health emergency of international concern"; and

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

**WHEREAS**, as of March 16, 2020, there were nearly 4,900 confirmed cases of COVID-19 in the United States, with 67 of those cases having resulted in death; and

**WHEREAS**, as of March 16, 2020, there were 178 positive cases of COVID-19 in New Jersey, with five of those cases in Mercer County; and

**WHEREAS**, on March 9, 2020, Philip D. Murphy, Governor of the State of New Jersey, declared and proclaimed that a Public Health Emergency and State of Emergency exist in the State of New Jersey and signed Executive Order No. 103; and

**WHEREAS**, on March 16, 2020, Philip D. Murphy, Governor of the State of New Jersey, announced a series of restrictions to combat COVID-19 and signed Executive Order No. 104; and

**WHEREAS**, the CDC expects that additional cases of COVID-19 will be identified including more cases in the United States, and that person-to-person spread is likely to continue to occur; and

**WHEREAS**, if COVID-19 spreads in New Jersey at a rate comparable to other affected areas, it could significantly strain the resources and capabilities of municipal governments, including municipal Health Departments that provide vital services for containing and mitigating the spread of contagious diseases, and the situation may become too large to be handled in its entirety by normal municipal operating services; and

**WHEREAS**, the spread of COVID-19 may make it difficult or impossible for residents to obtain consumer goods and other necessities of life due to supply chain disruption and price increases, as well as hinder the delivery of essential services such as police, fire and first aid; and

**WHEREAS**, the spread of COVID-19 may disrupt the timely delivery of goods or services, the immediate delivery and fulfillment of which is necessary for the life, safety, or health of the public; and

**WHEREAS**, the Township of Hopewell has been working closely with the local, county and state Health Department officials to monitor, plan for and mitigate the spread of COVID-19; and

**WHEREAS**, it is critical to prepare for and respond to suspected or confirmed COVID-19 cases in New Jersey, to implement appropriate actions to mitigate the spread of COVID-19, and to prepare in the event of an increasing number of individuals requiring medical care or hospitalization; and

**WHEREAS**, the Township of Hopewell employs a range of employees necessary for the continuous delivery of services at the municipal level and the spread of COVID-19 requires preparedness for staffing shortages and flexibility in work rules to ensure that its employees can fully comply with all medically appropriate measures while also ensuring the continuous delivery of services; and

**WHEREAS**, the spread of COVID-19 within New Jersey constitutes an imminent public health hazard that threatens and endangers the health, safety and welfare of the residents of the State of New Jersey, County of Mercer and Township of Hopewell; and

**WHEREAS**, it is necessary and appropriate to take action against this public health hazard to protect and maintain the health, safety and welfare of Hopewell Township residents and visitors; and

**WHEREAS**, the facts as set forth above and consultation with the State of New Jersey Department of Health and the Hopewell Township Health Officer confirms that there exists a public health emergency in the Township of Hopewell.

**NOW, THEREFORE**, the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, does Declare and Proclaim that a Public Health Emergency exists in the Township of Hopewell and hereby direct the Executive Coordinator of the Hopewell Valley Office of Emergency Management in conjunction with the State, County and Local Health Officials to take any such emergency measures deemed necessary including the activation of municipal emergency operations plans, in order to fully and adequately protect the health, safety and welfare of the residents of the Township of Hopewell from any actual or potential threat or danger that may exist from the possible exposure to COVID-19.

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**RESOLUTIONS #20-108 through #20-112.** Read by title.

A discussion between the Committee Members ensued regarding amending the amount for the Executive O/E item in Resolution #20-109. After debate, Committee Members agreed to a reduced amount for such item.

Motion by Blake, seconded by Ruger to adopt Resolutions #20-108 through #20-112 as amended.

**ROLL CALL VOTE:**

**AYES:** Blake, Kuchinski, Peters-Manning, Ruger, Mayor McLaughlin  
**NOES:** None

**RESOLUTION #20-108**

**A RESOLUTION TO AMEND RESOLUTION #20-98 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 2020 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 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$1,222,652.58

**NOW, THEREFORE, BE IT RESOLVED**, on this 16<sup>th</sup> day of March 2020, 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:

**	Bldg & Grounds S/W	6,000.00
	Comm Dev. S/W	12,000.00
	Sr. Services O/E	775.00
	<u>Int.</u> Health O/E	6,000.00
	Total	24,775.00

- 2. That said emergency temporary appropriation has been provided for in the 2020 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.

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**RESOLUTION #20-109**

**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 2020 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 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$4,370,414.86.

**NOW, THEREFORE, BE IT RESOLVED**, on this 16<sup>th</sup> day of March 2020, 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:

**	Legislative S&W	4,000.00
	Executive O/E	123,500.00
	Finance S&W	52,500.00
	Tax S&W	17,000.00
	Legal S&W	8,800.00
	Clerk S&W	27,000.00

Assessor S&W	20,000.00
Muni Bldg S&W	18,000.00
Police S&W	650,000.00
Comm. Dev. S&W	83,000.00
Comm. Dev. O/E	6,200.00
Health S&W	51,000.00
Public Works S&W	110,000.00
Fleet Maint S&W	15,500.00
Recreaton S&W	22,000.00
Sr. Service S&W	12,000.00
Court S&W	50,000.00
Public Defender S&W	1,800.00
Social Security O/E	80,000.00
Benefits O/E	300,000.00
Pension O/E	1,465,962.28
Health Waiver O/E	11,000.00
Int. Police S/W	10,000.00
Bldgs and Grounds O/E	5,000.00
Int Police O/E	3,500.00
Total	3,147,762.28

2. That said emergency temporary appropriation has been provided for in the 2020 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.

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**RESOLUTION #20-110**

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

**WHEREAS**, an emergent condition has arisen with respect to the below listed items and no adequate provision has been made in the 2020 water 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 2020 for the water utility pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$9,690.00

**NOW, THEREFORE, BE IT RESOLVED**, on this 16<sup>th</sup> day of March 2020, 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	\$2,500.00
Benefits O/E	75.00
Total	\$2,575.00

2. That said emergency temporary appropriation has been provided for in the 2020 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.
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**RESOLUTION #20-111**

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

**WHEREAS**, an emergent condition has arisen with respect to the below listed items and no adequate provision has been made in the 2020 ELSA 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 2020 for the ELSA utility pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$1,100.00

**NOW, THEREFORE, BE IT RESOLVED**, on this 16<sup>th</sup> day of March 2020, 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:

S&W	1,000.00
Benefits O/E	100.00
 Total	 \$ 1,100.00

2. That said emergency temporary appropriation has been provided for in the 2020 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 #20-112**

**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 2020 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 2020 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 \$17,275.00.

**NOW, THEREFORE, BE IT RESOLVED**, on this 16<sup>th</sup> of March 2020, 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:

SBRSA	
Benefits O&E	\$75.00
 Total	 \$75.00

2. That said emergency temporary appropriation has been provided for in the 2020 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.

**ORDINANCE – INTRODUCTION AND FIRST READING**

Mayor McLaughlin read by title the ordinance for introduction.

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING OPEN SPACE BONDS AND AFFORDABLE HOUSING BONDS OF THE TOWNSHIP OF HOPEWELL IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$12,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$12,000,000 GENERAL OBLIGATION REFUNDING BONDS OF THE TOWNSHIP FOR FINANCING THE COST THEREOF

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

**ROLL CALL VOTE:**

**AYES:** Blake, Kuchinski, Peters-Manning, Ruger, Mayor McLaughlin

**NOES:** None

**ORDINANCE INTRODUCED**

Second reading, public hearing date April 6, 2020 at 7:00 p.m.

**CONSENT AGENDA ITEMS**

**RESOLUTIONS #20-113 THROUGH #20-116.** Read by title.

Motion by Ruger, seconded by Blake to adopt Resolution #20-113 through #20-116.

**MOTION UNANIMOUSLY CARRIED****R E S O L U T I O N #20-113**

**RESOLUTION OF HOPEWELL TOWNSHIP  
TO ACCEPT A DONATION FROM  
THE HOPEWELL VALLEY SENIOR FOUNDATION**

**WHEREAS**, the Township of Hopewell has received a donation in the amount of \$260.00 from the Hopewell Valley Senior Foundation for the purpose of providing transportation for senior citizens and people with disabilities.

**NOW, THEREFORE, BE IT RESOLVED** on this 16<sup>th</sup> day of March, 2020, by the Township Committee of the Township of Hopewell, in the County of Mercer, State of New Jersey, that the Township of Hopewell hereby accepts the donation in the amount of \$260.00 from the Hopewell Valley Senior Foundation; and

**BE IT FURTHER RESOLVED** that the donated funds shall be used by the Township to provide transportation for senior citizens and people with disabilities.

**R E S O L U T I O N #20-114**

**A RESOLUTION APPROVING THE PAYMENT OF  
UNUSED VACATION AND PERSONAL TIME TO ROBERT ENGLISH**

**WHEREAS**, Robert English terminated February 25, 2020 from employment with the Township of Hopewell Health Department.

**NOW, THEREFORE, BE IT RESOLVED** on this 16<sup>th</sup> day of March 2020 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 vacation and personal time as calculated by the Human Resources Director in the amount of \$24,550.82 to Robert English.

**R E S O L U T I O N #20-115**

**RESOLUTION APPROVING THE APPLICATION OF THE RUTGERS MASTER  
GARDENERS OF MERCER COUNTY AND COOPERATIVE EXTENSION TO  
CONDUCT A PLANT EXPO AND GARDEN MARKET**

**WHEREAS**, application has been made by the Rutgers Master Gardeners of Mercer County and Cooperative Extension to conduct a Plant Expo and Garden Market in the Township of Hopewell at the Mercer Educational Gardens and Mercer County Equestrian Center, 431A Federal City Road, Pennington, NJ on May 2, 2020 between the hours of 9:00 a.m. and 2:00 p.m.; and

**WHEREAS**, the Hopewell Township Health Department, the Hopewell Township Police Department and Hopewell Township Bureau of Fire Safety have reviewed the application and granted their approval to conduct the event and recommend the granting of a permit pursuant to the Revised General Ordinances of the Township of Hopewell, Chapter IV, Section 4-3 Festivals and Large Assemblies.

**NOW, THEREFORE, BE IT RESOLVED** that:

1. This Resolution shall constitute a permit to conduct a Plant Expo and Garden Market in accordance with the application submitted by the Rutgers Master Gardeners of Mercer County Cooperative Extension which is to be held May 2, 2020 between the hours of 9:00 a.m. and 2:00 p.m. at Mercer Educational Gardens and Mercer County Equestrian Center, 431A Federal City Road, Pennington, NJ.
2. Master Gardeners of Mercer County shall be exempted from the several provisions of 4-3, et seq. (4-3.8 Exemptions. a. Charitable or non-profit organizations) except those provided by 4-3.4, Insurance Requirement.
3. The Municipal Clerk is directed to forward a certified copy of this resolution to Rutgers Master Gardeners of Mercer County Cooperative Extension, 431A Federal City Road, Pennington, NJ 08534.

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**R E S O L U T I O N #20-116**

**A RESOLUTION DIRECTING THE HOPEWELL TOWNSHIP ZONING OFFICER TO ISSUE A TEMPORARY ACTIVITIES PERMIT TO JACKIE LAIRD FOR A WEDDING EVENT AT THE WOOLSEY PARK**

**WHEREAS**, the Laird/Walker families seek permission to use the Woolsey Park property located at 221 Washington Crossing Pennington Road, Titusville, on September 19, 2020 for a “Wedding Event” from 1:00 p.m. – 4:30 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, Hopewell Valley Fire Safety, Hopewell Township Environmental Commission and Hopewell Township Deer Management Advisory Committee, who have raised no objections; and

**WHEREAS**, the Hopewell Township Fire Safety Department states that there shall be no storage inside either memorial on site and all vehicle traffic shall be kept on the Route 546 side of the walking path;

**NOW, THEREFORE, BE IT RESOLVED**, on this 16<sup>th</sup> day of March 2020, 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 Jackie Laird for the “Laird/Walker Wedding Event” on September 19, 2020 subject to receipt of all final approvals and comments from the Hopewell Township Health Officer, Hopewell Township Police, Hopewell Valley Fire Safety, Hopewell Township Environmental Commission, Hopewell Township Deer Management Advisory Committee and Zoning Officer, and subject to any relevant restrictions on use, noise, signs, etc. or other permits as may be required.

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**RESOLUTION #20-117.** Read by title.  
Motion by Ruger, seconded by Kuchinski to adopt Resolution #20-117.  
**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #20-117**

**A RESOLUTION REQUESTING AN EXTENSION OF TIME FOR AWARDDING A CONTRACT FOR ROADWAY IMPROVEMENTS BULL RUN ROAD**

**WHEREAS**, the Township of Hopewell has been awarded a local aid grant for improvements to Bull Run Road; and

**WHEREAS**, the New Jersey Department of Transportation has advised the Township of Hopewell that the grant was conditioned upon the awarding of a contract by February 21, 2020; and

**WHEREAS**, due to delays caused by the requirement to receive a NJDOT Highway Occupancy Permit additional time is needed to publicly bid the project, and the February 21, 2020 date for award of a construction contract cannot be met.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Hopewell, in the County of Mercer, State of New Jersey, does hereby request the Commissioner of the Department of Transportation to grant an extension of time until August 21, 2020 for the award of bid.

**RESOLUTION #20-118.** Read by title.

Motion by Blake, seconded by Ruger to adopt Resolution #20-118.

**MOTION UNANIMOUSLY CARRIED**

### **R E S O L U T I O N #20-118**

#### **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 16<sup>th</sup> day of March, 2020 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>
Harry Haushalter (Legal services relating to tax appraisals and tax appeals) 0-01-20-115-028	\$40,000.00	\$30,000.00	12/31/20	No Change

**RESOLUTION #20-119.** Read by title.

Motion by Kuchinski, seconded by Blake to adopt Resolution #20-119.

**MOTION UNANIMOUSLY CARRIED**

### **R E S O L U T I O N #20-119**

#### **A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS**

**WHEREAS**, there exists a need for professional services for the following: Affordable Housing Legal Services; and

**WHEREAS**, the estimated cost of the contract is not to exceed \$5,000.00 (X-14-20-927-028) for Affordable Housing Legal Services; and funds will be available in the 2020 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., 3840 Quakerbridge Road, Suite 200, Hamilton, NJ 08619

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.

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**RESOLUTION #20-120.** Read by title.  
Motion by Blake, seconded by Ruger to adopt Resolution #20-120.  
**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #20-120**

**A RESOLUTION AWARDING A NEW  
PLENARY RETAIL DISTRIBUTION LICENSE  
SUBJECT TO SATISFACTION OF REQUIREMENTS**

**WHEREAS**, the Township of Hopewell has the authority to issue a new Plenary Retail Distribution License for the sale of alcoholic beverages; and

**WHEREAS**, by Resolution #19-370, adopted on November 18, 2019, the Township Committee authorized advertisement for bids for purchase of the License and established a process for the receipt and review of submissions by prospective bidders; and

**WHEREAS**, on January 31, 2020 and February 7, 2020, the Township Clerk published notice to prospective bidders in the Hopewell Valley News and the Times of Trenton in accordance with law, providing that applications, bid and associated materials be submitted to the Township Clerk until 3:00 p.m. on Tuesday, February 25, 2020 at the Hopewell Township Municipal Building, 201 Washington Crossing-Pennington Road, Titusville, NJ; and

**WHEREAS**, by the date and time for the receipt of applications, bid and associated materials, one application was received submitted by Chillakuru, LLC, 15 Chambord Lane, Voorhees, NJ 08043; and

**WHEREAS**, on March 4, 2020 the bidder was acknowledged as being a preliminary qualified bidder; and

**WHEREAS**, on March 10, 2020, at 10:00 a.m., the date and time for opening of bids, the bid from Chillakuru, LLC was opened and determined to provide a bid amount of \$270,000.00 and the required 20% deposit in the amount of \$54,000.00, in conformance with Resolution #19-370; and

**WHEREAS**, Chillakuru, LLC has therefore made the highest qualified bid for the license; and

**WHEREAS**, in further conformance with Resolution #19-370, the bidder who is determined by the Township to have made the highest qualified bid shall pay the remainder of the bid price to the Township of Hopewell in the form of cash or certified check within 72 hours from the adoption of this resolution; and

**WHEREAS**, this amount together with the deposit provided with the bid shall be kept in an interest bearing account with interest payable to the Township of Hopewell, until such time as the licensing process is complete; and

**WHEREAS**, completion of the licensing process as required by law include payment of the State licensing fee, payment of the annual municipal license fee, satisfactory completion of municipal background checks including the receipt of State and Federal criminal background checks, satisfactory outcome of an investigation of the applicant’s source of funds, as well as compliance with the publication, hearing and resolution requirements as may be required by law.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Hopewell, in the County of Mercer, State of New Jersey, that the Township Committee hereby:

1. Accepts the bid of Chillakuru, LLC as the highest qualified bid for the Plenary Retail Distribution License; and

2. Awards the License to Chillakuru, LLC subject to satisfaction of the following requirements for issuance of the license:
  - a. Payment of the balance of the bid price;
  - b. Payment of the annual State and municipal licensing fee;
  - c. Satisfactory outcome of municipal background checks including the receipt of State and Federal criminal background checks and satisfactory outcome of an investigation of the applicant's source of funds;
  - d. Compliance with the publication, hearing and resolution requirements as may be required by law;
  - e. Compliance with all ordinances of the Township of Hopewell in locating the license and permissible hours of operation.

**RESOLUTION #20-121.** Read by title.

Motion by Blake, seconded by Ruger to adopt Resolution #20-121.

**MOTION UNANIMOUSLY CARRIED**

### **R E S O L U T I O N #20-121**

#### **RESOLUTION AUTHORIZING AWARD OF CONTRACT TO GT MID ATLANTIC COMPANY THROUGH SOURCEWELL NATIONAL COOPERATIVE CONTRACT #032119 CNH FOR 2020 CASE 721GXR WHEEL LOADER FOR DEPARTMENT OF PUBLIC WORKS**

**BE IT RESOLVED**, by the Township Committee of the Township of Hopewell, Mercer County, State of New Jersey as follows:

**WHEREAS**, in accordance with the requirements of the Local Public Contract Law P.L. 2011, C.139 (the "Law" or "Chapter 139") and N.J.S.A.52:34-6.2 the regulations promulgated there under in Local Finance Notice LFN 2012-10, the following purchase without competitive bids from vendor with a National Cooperative Contract is hereby approved for municipalities; and

**WHEREAS**, the Township of Hopewell has the need to procure certain specialized public works equipment in accord with the Local Publics Contract Law N.J.S.A. 40A:11-1 et. Seq.; and

**WHEREAS**, the Township of Hopewell has previously acted in accord with New Jersey public procurement statutes and regulations as promulgated by formally joining a recognized and compliant national cooperative, being the Sourcewell National Cooperative through Resolution 15-290 on September 4, 2015; and

**WHEREAS**, the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with; and

**WHEREAS**, the equipment and corresponding Sourcewell National Cooperative contract number is: #032119 CNH for GT Mid Atlantic 212 Monmouth Road, Freehold, NJ 07728; and

**WHEREAS**, the Township is desirous of purchasing a 2020 Case 721GXR Wheel Loader and accessories, through Sourcewell contract: #032119 CNH, including accessories and warranty for \$214,600.00; and

**WHEREAS**, the Chief Financial Officer of the Township of Hopewell has certified that adequate funds for such contract are available and are designated to line item appropriation of the official budget in the amount not to exceed \$214,600.00.

Account - X-04-xx-677-805

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor is hereby authorized to enter into contract for the purchase of a 2020 Case 721GXR Wheel Loader and accessories, through Sourcewell contract: #032119 CNH, from the designated distributor GT Mid Atlantic 212 Monmouth Road, Freehold, NJ 07728 for \$214,600.00.

**RESOLUTION #20-122.** Read by title.

Motion by Blake, seconded by Ruger to adopt Resolution #20-122.

**ROLL CALL VOTE:**

**AYES:** Blake, Kuchinski, Peters-Manning, Ruger, Mayor McLaughlin

**NOES:** None

### **R E S O L U T I O N #20-122**

**BILLS & CLAIMS**

**BE IT RESOLVED**, that the list of cash disbursements authorized for approval of bills for payment date March 16, 2020 in the following amounts:

Bills and Claims	\$	7,977,364.44
Payroll	\$	330,426.73
Total Disbursements	\$	8,307,791.17

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

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**FUTURE AGENDA ITEMS – AS LISTED ON THE TOWNSHIP WEBSITE ON THE CLERK’S PAGE.**

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**PUBLIC SECTION**

The following members of the public spoke during public comment:

**Harvey Lester**, a resident of Continental Lane, commented on the amendment to the January 27, 2020 regular meeting minutes.

**James Burd**, a resident of Nursery Road, thanked the Township Committee and all those involved in protecting the Township during the COVID-19 outbreak.

The detailed public comment may be viewed at [www.hopewelltp.org](http://www.hopewelltp.org) in the video library.

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**EXECUTIVE SESSION RESOLUTION.** Read into the record.  
Mayor McLaughlin stated that the regular meeting would not 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**

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At 8:20 p.m. the Executive Session was held.

At 8:55 p.m. the Regular meeting reconvened.

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At 8:55 p.m., motion by Kuchinski, seconded by Ruger to adjourn the meeting.

**MOTION UNANIMOUSLY CARRIED**

The detailed public meeting may be viewed at [www.hopewelltp.org](http://www.hopewelltp.org) in the video library.

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LAURIE E. GOMPF  
MUNICIPAL CLERK