

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

Monday, March 26, 2018 – 7:22 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.

MINUTES SUBMITTED FOR APPROVAL

Motion by Hart, Seconded by Blake to approve September 11, 2017 Regular and Executive Session Meeting Minutes.

ABSTAIN: Ruger

MOTION CARRIED

Motion by Blake, Seconded by McLaughlin to approve September 25, 2017 Regular and Executive Session Meeting Minutes.

ABSTAIN: Ruger

MOTION CARRIED

COMMITTEE MEMBERS AND STAFF REPORTS

Mr. Kataryniak reported that the new secretary started in the Community Development Department.

Ms. Borges reported that the new Tax Assessor began working and also reported on a recent note sale.

Committee Member Ruger complimented Public Works for their work during the nor'easter the previous week and reported there was no significant damage done by the storm in the Township.

Committee Member Hart reported that he spoke at the Sourland Conservatory Deer Symposium where discussion panels were conducted to discuss controlling the deer population in Hopewell Valley and the surrounding towns. The Division of Fish and Games estimated the deer population to be approximately 90 to 100 deer per square mile when the norm should be 15 per square mile. Committee Member Hart suggested that part of the 2 cent open space tax could be

utilized for incentives for hunters to hunt Township property. Committee Member Hart also suggested allowing a rebate for members who pay Hopewell Township to hunt in Hopewell Township; recommended trying to persuade landowners to allow hunting on their property; and beginning a hunter safety program to encourage more young hunters.

Committee Member Blake sent condolences to all involved in the accident on Route 29 today and commended the emergency services coalition in the community who work hard to save lives. She reported that one of the storms resulted in the cancellation of the Historic Preservation Committee and the next meeting will be held in April. In response to a question at the last meeting regarding the Cable Television Advisory Board, Committee Member Blake advised that the last Board met in 1998 and anticipated having more information within the next month or two in an effort to provide residents with some type of advocacy.

Mayor Kuchinski reported that he also attended the Deer Symposium and attended the Community Management breakout session which was a practice other communities have implemented in order to find more effective strategies for managing deer. He stated he looked forward to working with Committee Member Hart and the volunteers in the Deer Management Advisory Committee to come up with ways to stop the public safety threat the deer represent.

Mayor Kuchinski announced that Superior Court Judge, Mary Jacobsen, recently made her ruling in the Mercer County Affordable Housing Trial which created a formula for calculating each municipality's third round obligation. West Windsor, which was one of the municipalities that did not reach a negotiated settlement, will be required to build 1,500 new affordable housing units as a result of the ruling. The Mayor explained that the Township is confirming the specifics of what the Court's ruling means for Hopewell Township, but according to 2 separate sources, Hopewell Township's obligation would have resulted in approximately 94 additional affordable units and 470 additional market-rate units beyond the current settlement. Mayor Kuchinski stated that efforts in the Legislature are being made to affect change via several pending bills and he and Committee Member McLaughlin are traveling to Trenton to meet with legislators to solicit assistance and is hopeful that the new Governor will be more willing to reach a legislative solution to help advance more sensible thoughts on affordable housing.

PUBLIC SECTION

The following members of the public spoke during public comment:

Harvey Lester, a resident of Continental Drive, stated his dissonance that the Mayor moved the presentation to after the public section which would not allow the public to comment on the presentation; commented on the meeting being placed on the municipal bulletin board; and requested that the Township Attorney redact the Executive Session Meeting Minutes in a more timely fashion.

Reverend Jack Belmont, a resident of Fairway Drive and member of the Planning Board but speaking as a resident, stated he has lived in the community since 1976 and served as Pastor of St. Matthew's in Pennington, has served on the Pennington Planning and Zoning Boards, moved to Hopewell Township in 1990 and he is familiar with the issues regarding Mount Laurel and Mount Laurel II and the Court mandates for each municipality to provide opportunities for moderate and low income housing. Reverend Belmont thanked the Township Committee for all of their responsive, hard work they have put into the fair share affordable housing issue over the past several years and for the current plan. He also stated that negotiations to reduce the number of affordable units to the current 653 should be applauded and not subject to criticism. Reverend Belmont shared that he is not happy with the number but he considers, after hearing what happened in West Windsor, the number to be a blessing and understands that members of the Township Committee are contacting Representatives in hope that the laws may be changed.

Reverend Belmont addressed the Zaitz tract Ordinance as it related to the Weidel tract, which came before the Planning Board and settled in 2011 and observed that members in the audience voted in the affirmative to approve the application. He stated that the assertions being made that

things are being done in secret is completely false, all discussions have been held in open public meetings, appropriate notices have been posted to include everyone to be kept informed and to speak out; members of the Township Committee have contacted and responded in an affirmative way to members of the community who will be affected and he hopes the revised plan that will be presented will reflect their concerns.

Jon Edwards, a resident of Pennington Harbourn Road, objected to the market-rate units and stated certain statistics which he believes will impact the residents and the environment; spoke of integration of market value and affordable housing units; spoke of his past experiences as Mayor; applauded Mayor Kuchinski for reaching out to legislators and trying to continue to fight for better affordable housing; reported on his experience with Comcast; and supported reconstituting the Cable Advisory Board.

James Burd, a resident of Nursery Road, made comments regarding the Weidel and Zaitz tracts with regard to affordable housing.

Edward Kazimir, a resident of Corrine Road, questioned if one needed to be a resident of New Jersey to obtain a deer hunting licenses and proposed placing brochures at rifle and pistol clubs as an incentive to bring hunters into the area. Mr. Kazimir then offered his opinions regarding affordable housing placement within New Jersey suggesting ideas akin to the now defunct Regional Contribution Agreements.

Melanie Philips, a resident of Washington Crossing-Pennington Road, made certain comments about the Township's approach to the Enurato and Woodmont settlement agreements in contrast to the PennEast Pipeline and questioned her wait for Executive Session Meeting minutes which were being redacted by the Township Attorney. Ms. Philips also asked why the Woodmont tract is not being required to follow the tree replacement ordinance.

Peter Sandford, a resident of Chickory Lane, commented on affordable housing and transparency; commended the Township Committee for settling on affordable housing; urged the Committee to continue listening to the residents and use their best judgement in moving forward; commented that he believed a mixed use approach is the best way to approach affordable housing; objected to the notion forwarded by members of the audience that three minutes is not a sufficient amount of time to convey their comments and also stated he believed there is not a lack of transparency by the Committee and urged the members of the audience to use their time at the podium wisely.

Michael Kiernan, a resident of Pennington-Hopewell Road, asked the current status of the Pennytown tract; if there are potential buyers; what guarantee can the Committee give him that any and all due diligence reports that were accumulated from 2008 to 2015 or 2016 will be provided to a potential buyer; suggested those reports should be posted on the website; voiced his concern over a gasoline additive being found near the Pennytown sight; and stated that the previous owner was fined over illegal sewage dumping.

Courtney Peters-Manning, a resident of East Acres Drive, commented on the mandates by the State of New Jersey for affordable housing; amount of tax dollars spent if Hopewell Township was to build only affordable housing; stated that there is no zero impact option for affordable housing; applauded the Township Committee for their choices; and urged Mr. Burd to approach the State Legislature to promote changes to the law.

Andrew Borders, a resident of Hilton Court, commented on the fact that the Mayor was told that companies that are interested in occupying large areas, such as the BMS site, are interested in areas that also include housing; members of the Committee understanding that trend; it is a chance to take off-road some of the cars going over the bridge every night spending their New Jersey made paychecks every night where they live in Pennsylvania; there is a chance to save people from missing time with their families as they search for a better paycheck and a lower cost of living; emission could be cut down from cars sitting in traffic, helping the environment and allowing people to spend money on something other than gas and car repairs from long commutes; stated that this is an opportunity to benefit from who succeeds BMS; the redevelopment by the hospital should enable it to recruit the best doctors and nurses which will improve health options for the Township; and the location will be turned into a vibrant setting

with wooded spaces and restaurants. Mr. Borders called on everyone to have the courage to change course when circumstances demand it, listen to what trends are saying, and reposition Hopewell Township as the desirable place everyone knows it to be.

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

PRESENTATION – REPORT ON DIVERTY ROAD CUMULATIVE FEEDBACK

Mr. Kataryniak presented the exhibit from the Community Outreach meetings as a general visual reference. Mr. Kataryniak presented the following:

- Initial feedback from residents regarding concerns about the impact of development, in particular about the roadways in the vicinity of the Zaitz tract.
- The project area is considered to be a 1,000 foot area around the Zaitz tract area.
- There have been 2 public workshop meetings at which conceptual plans were developed and presented.
- At those meetings a survey was provided for residents to fill out which had questions and asked for comments regarding their concerns for roadways in the project area of the Zaitz redevelopment tract.
- Those surveys were returned to the Community Development office and were reviewed by staff.
- Amendments were made to the redevelopment plan based on feedback from the public.
- Approximately 80% of survey respondents lived within the project area.
- Many residents felt that cut-through traffic on Diverty Road was currently an issue.
- An overwhelming majority of survey respondents felt that when the left turns were restricted at Route 31 and Diverty Road, there was a modest or significant improvement in traffic conditions.
- A vast majority of survey respondents favored truck restrictions on Diverty Road.
- There were favorable comments with respect to adding bicycle lanes and sidewalks along the area of the access road as well as favorable comments for adding bicycle lanes and sidewalks on Diverty Road.
- Many residents were concerned that access for emergency vehicles was maintained on Diverty Road.
- Significant comments were made with regard to buffering between the Zaitz redevelopment tract and the properties that exist on Diverty Road.
- Requests were made that the Township should consider alternate points of access to the Zaitz tract other than an extension across Diverty Road to Denow Road.
- The main concerns on the improvement plan were:
 - The extension of the site access road on the Zaitz tract across Diverty Road to Denow Road should contain bike lanes, sidewalks and tree borders along the road.
 - Stop sign installation on the access road to Diverty Road, so the access road approaches to Diverty Road, therefore not creating a free flow roadway across Diverty Road.
 - Constructing a cul-de-sac at Diverty Road, closing the road, maintaining emergency vehicle access, although the road would be permanently closed to vehicular traffic.
 - Implementing a 4 ton weight limit on Diverty Road and the access road.
 - Installing speed humps on Diverty Road, mainly between Reed Road and the access road, to further discourage cut through traffic in the area and control travel speeds along that segment of the roadway.
 - Provide connections for future utility extensions along Diverty Road off trunk lines built by the redeveloper.
 - Consolidation of driveways along Washington Crossing-Pennington Road and Route 31 within the redevelopment area.
 - Implementation of traffic calming on the internal roads within the Zaitz tract through a series of various techniques, alignment, and other traffic calming

- techniques to discourage a straight-through between Route 546 and Denow Road.
 - Provide an internal interconnect between the residential and commercial development within the redevelopment area so traffic is not forced onto the roadway to serve the commercial development.
- Review of elements that have been included in the redevelopment plan.
- Wording was added to the redeveloper plan stating a redeveloper cannot extend an access road to Diverty Road unless it extends all the way to Denow Road.
- Elements internal to the Zaitz tract have been built into the redevelopment plan.
- The Planning Board resolution included:
 - Mandatory increasing of buffers along the Diverty Road lots that went from 50 feet to 100 feet.
 - Provisions that landscaping and buffering along the increased buffer be constructed before any construction of units are built on the Zaitz tract.
 - Restrictions were placed on 4 story buildings south of the pipeline.
 - Requirements to refocus the multi-story buildings to the center of the site.
 - Better distribution of the affordable housing units to various locations within the site itself and not concentrate them to one area.
 - Require that all studies conducted look at the cumulative effects of all planned affordable housing sites identified in the settlement agreement in order to not have isolated impacts for the site versus other sites.
 - The Township Committee should authorize a study to look at alternate means of access to the Zaitz tract that would not involve the crossing of Diverty Road to Denow Road.
 - Detailed study requirements, such as aquifer, onsite stormwater analysis, green stormwater, green infrastructure techniques, light design, noise analysis and traffic impact analysis, are a mandatory part of the site plan review all has been built into the Zaitz redevelopment plan.
- As part of the overall settlement agreement, the number of housing units was reduced from the number of units stated in the 2015 plan.
- Mr. Kataryniak counseled that the extension of the access road to Denow Road should be evaluated as part of the site development access.
- Mr. Kataryniak recommended closing Diverty Road at Route 31 but maintain access to emergency vehicles; truck limitations on local road should be considered; further study be held on Diverty Road such as speed hump installation; and utility connection should be considered with any roadway network expansion proposed within the area.

Alternate access roads were discussed.

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Kuchinski read by title the introduced ordinance:

AN ORDINANCE AMENDING THE COMPREHENSIVE SALARY AND WAGE PLAN FOR THE TOWNSHIP OF HOPEWELL, MERCER COUNTY, NEW JERSEY

Mayor Kuchinski declared public hearing open.

Harvey Lester had questions regarding Denow Road to which the Mayor notified Mr. Lester that the public hearing was in reference to the Salary Ordinance.

Motion by Blake, seconded by Hart to close public hearing.

MOTION UNANIMOUSLY CARRIED

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

ROLL CALL VOTE:

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

NOES: None

ORDINANCE ADOPTED

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

ORDINANCE NO. 18-1686

**AN ORDINANCE AMENDING THE COMPREHENSIVE
SALARY AND WAGE PLAN FOR THE TOWNSHIP OF
HOPEWELL, MERCER COUNTY, NEW JERSEY**

WHEREAS, the existing title of CFO/Treasurer, General Foreman, Human Resources Director, Municipal Clerk and Tax Collector must be changed to accommodate these employees who have been approved for an additional increase in 2018; and

WHEREAS, the existing salary range for Grades 9, 12 and 14 must be changed to accommodate those positions which are in need of modifications in 2018; and

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

Section 3. The existing Comprehensive Salary and Wage Plan for the Township of Hopewell, Section 3, shall be amended as follows:

Grade	Classification	Minimum	Maximum
8	[Tax Collector] Administrative Assistant Foreman Utility Systems /Buildings Foreman Assistant Treasurer/Assistant CFO	45,000.	87,000.
9	General Foreman <u>Tax Collector</u> Tax Assessor Municipal Clerk Human Resources Director	47,000.	[89,000] <u>94,000</u>
12	Police Lieutenant CFO/Treasurer Township Engineer Director Community Development	68,000	[143,000]. <u>163,000</u>
14	Township Administrator	<u>10,000</u> .[35,000]	121,990

Section III .In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of the Ordinance shall be deemed severable therefrom and shall not be affected.

Section IV. This Ordinance shall take effect upon the final passage and publication in the accordance with the law and shall be retroactive to January 1, 2018

RESOLUTION #18-111. Read by title.

Motion by Blake, seconded by McLaughlin to adopt Resolution #18-111.

ROLL CALL VOTE:

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

NOES: None

RESOLUTION #18-111

**RESOLUTION RECOMMENDING ADOPTION OF AN AMENDED
REDEVELOPMENT PLAN FOR BLOCK 85, LOTS 3, 4, 5.01, 7, 24 AND
30 AND BLOCK 86, LOTS 32, 33, 34 AND 130, KNOWN AS THE ZAITZ**

NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT, IN ACCORDANCE WITH N.J.S.A. 40A:12A-7 AND AMENDING CHAPTER XVII, "LAND USE AND DEVELOPMENT," ARTICLE VIII, "ZONING-GENERAL PROVISIONS," SECTION 17-138.b, "ZONING DISTRICTS" TO ADD SUB-PARAGRAPH 24 TO THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL

WHEREAS, by Resolution 17-299, adopted on September 11, 2017, the Township Committee of the Township of Hopewell, County of Mercer, designated the area known as Block 85, Lots 3, 4, 5.01, 7 and 24 on the Township's tax maps (the "Original Zaitz Area") as an area in need of redevelopment under the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"); and

WHEREAS, by Ordinance No. 17-1672 and adopted on November 27, 2017, the Township Committee adopted a Redevelopment Plan for the Original Zaitz Area, prepared by Banisch Associates, Inc. (the "Planner") and entitled "Redevelopment Plan for Block 85, Lots 3, 4, 5.01, 7 and 24" (the "Original Zaitz Redevelopment Plan"); and

WHEREAS, on February 26, 2018, the Township Committee adopted Resolution No. 18-77 designating the area including Block 85, Lot 30 and Block 86, Lots 32, 33, 34 and 130 on the Township's tax maps (the "Additional Parcels" and, together with the Original Zaitz Area, the "Amended Zaitz Area") as an area in need of redevelopment under the Redevelopment Law; and

WHEREAS, Resolution No. 18-77 also authorized the preparation of a redevelopment plan for such area; and

WHEREAS, on February 26, 2018, the Township Committee introduced an ordinance approving an amendment to the Original Zaitz Redevelopment Plan, prepared by Banisch Associates, Inc. (the "Planner") to include the Additional Parcels therein (the "Original Amended Zaitz Redevelopment Plan"); and

WHEREAS, the Township Committee forwarded such ordinance and proposed Original Amended Zaitz Redevelopment Plan to the Planning Board for review pursuant to N.J.S.A. 40A:12A-7e; and

WHEREAS, on March 1, 2018, the Planning Board reviewed such proposed Original Amended Zaitz Redevelopment Plan, along with a memorandum prepared by the Planner, and heard the testimony of Francis J. Banisch, III, AICP/PP, a representative of the Planner; and

WHEREAS, the Planning Board compared the proposed ordinance to the Land Use Plan element of the 2002 Master Plan and the 2011 Housing Plan Element and found that the intent of the proposed ordinance advances the goal for a balanced land use plan that can meet the constitutional mandate to provide for the Township's fair share of the regional need for affordable housing. Nevertheless, the Planning Board found that the specific proposal to construct a neighborhood of multi-family housing within the R-100 zone is technically inconsistent with the nonresidential land uses programmed for this site in the Land Use Plan; and

WHEREAS, notwithstanding this inconsistency, in Planning Board Resolution No. 18-11, the Planning Board recommended that the Township Committee adopt the proposed ordinance and Redevelopment Plan, with certain specific revisions thereto (the "Amended Zaitz Redevelopment Plan"); and

WHEREAS, the Hopewell Township Committee reviewed Planning Board Resolution No. 18-11, the Memorandum of Banisch Associates and heard the testimony of Francis Banisch and all public comments; and

WHEREAS, the Township Committee finds that the Amended Zaitz Redevelopment Plan and Ordinance advances the following objectives:

- To provide for a reasonable balance among various land uses that respects and reflects the interaction and synergy of community life.
- To provide for a variety of housing types which respond to the needs of households of varying size, age, and income, persons with disabilities and emerging demographic characteristics.
- To promote and support the development and redevelopment of affordable housing intended to address the Township's fair share of the region's lower income housing, particularly in areas served by public transportation which connect to areas of employment.
- To provide a range of housing opportunities within the Township with densities and lot sizes that respond to the capabilities and limitations of natural systems and

available infrastructure.

- The proposed rezoning results in an appropriate use of land which contributes to the general welfare of the community and state, and is an appropriate response to the mandate to provide affordable housing through municipal zoning.
- The proposed rezoning does not conflict with the development or general welfare of any neighboring municipality, the county or the state as a whole and it provides a reasonable development option to address local affordable housing goals.
- The proposed rezoning provides affordable housing through inclusionary development without the expenditure of public funds and results in the efficient use of the available public infrastructure while curtailing the extension of such infrastructure.
- The proposed rezoning provides zoning requirements and standards that produce the opportunity to utilize creative development techniques in order to produce good civic design and arrangements, which are subject to further Planning Board review during the development application process.
- The procedure followed in developing the proposed ordinance combines public and private procedures that result in an efficient use of land.
- The property was acquired to assist the Township in addressing the constitutional affordable housing obligation.
- The proposed ordinance improves the balance of land uses sought in the Master Plan.
- The proposed development contemplated by the proposed zoning standards should result in a compact building layout and design.
- The proposed rezoning will advance the goal of diversifying the housing stock and providing affordable housing to meet the aforementioned constitutional obligation.

NOW, THEREFORE BE IT RESOLVED, on this 26th day of March, 2018, that the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, hereby adopts the Ordinance and Amended Zaitz Redevelopment Plan. It is hereby adopted for all of the above reasons pursuant to N.J.S.A. 40:55D-62(a) and Willoughby v. Planning Board of the Twp. of Deptford, 326 N.J. Super. 158, 165-66 (App. Div. 1999).

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Kuchinski read by title the introduced ordinance:

AN ORDINANCE ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 85, LOTS 3, 4, 5.01, 7, 24 AND 30 AND BLOCK 86, LOTS 32, 33, 34 AND 130, **KNOWN AS THE ZAITZ NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT**, IN ACCORDANCE WITH N.J.S.A. 40A:12A-7 AND AMENDING CHAPTER XVII, "LAND USE AND DEVELOPMENT," ARTICLE VIII, "ZONING-GENERAL PROVISIONS," SECTION 17-138.b, "ZONING DISTRICTS" TO ADD SUB-PARAGRAPH 24 TO THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL

Mayor Kuchinski declared public hearing open.

Harvey Lester questioned the purpose and intent section of the Ordinance pertaining to the Denow Road extension; asked if the Committee will obtain studies before voting; and urged Committee Member Hart not to vote for the Ordinance.

Patricia Silvestrov, a resident of Diverty Road, thanked Mayor Kuchinski for standing fast on the cut through to Diverty Road; commented on the safety conditions of the cut through to Diverty Road as it relates to the children who live there; urged alternatives be explored; and commented on speed humps.

Mike Pisauro, Policy Director of the Stony Brook-Millstone Watershed Association, thanked the Township Committee and the Planning Board for revising the Ordinance and making it better, however there are still issues. Mr. Pisauro cited a ground water quality and quantity impact from sewer expansions in a Hopewell Township report done by M2 Associates from 15

years prior, and urged the Committee to perform another study immediately to help guide any possible development. Mr. Pisauro also urged the Committee not to allow the Denow connector road to cross wetlands in an effort to avoid environmental impacts.

James Burd questioned who owned certain property along Diverty Road; also asked who owned the property where the wetlands are located so he may speak with them and suggested making it into a park.

Jon Edwards questioned the possibility of monies to be set aside to subsidize sewer connections for residents on Diverty Road; if monies will be set aside by the Township for residents who may need to deepen their well; what buffer behind Diverty Road will be recommended or created now that the affordable housing units will not be up against those properties; could a completed buffer between the gas pipeline and the residents be considered; and offered his opinion that the Township would have been better off developing the property itself.

Edward Kazimir, presented his opinion that there were no good inspections for groundwater performed by the Township and urged a comprehensive study be performed carefully by high quality professionals.

Dorina Frizzera, a resident of Aunt Molly Road, read a prepared statement regarding the proposed affordable housing plan.

Victor Silvestrov, a resident of Diverty Road, asked if the Redevelopment Plan could include a prohibition of structures taller than two stories south of the pipeline and questioned if there was a 100 foot buffer included in the plan.

A discussion ensued between Committee Members and professionals regarding the addition of language to the Ordinance which would require the developer to include sewer service to existing homes on Diverty Road which are not in the redevelopment area.

Motion by Blake, seconded by Ruger to close public hearing.

MOTION UNANIMOUSLY CARRIED

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

ROLL CALL VOTE:

AYES: Blake, McLaughlin, Ruger, Mayor Kuchinski

NOES: Hart

ORDINANCE ADOPTED

Ordinance advertised March 16, 2018, Hopewell Valley News. Posted municipal bulletin board as required by law.

ORDINANCE NO. 18-1687

AN ORDINANCE ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 85, LOTS 3, 4, 5.01, 7, 24 AND 30 AND BLOCK 86, LOTS 32, 33, 34 AND 130, KNOWN AS THE ZAITZ NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT, IN ACCORDANCE WITH N.J.S.A. 40A:12A-7 AND AMENDING CHAPTER XVII, "LAND USE AND DEVELOPMENT," ARTICLE VIII, "ZONING-GENERAL PROVISIONS," SECTION 17-138.b, "ZONING DISTRICTS" TO ADD SUB-PARAGRAPH 24 TO THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL

WHEREAS, by Resolution 17-299, adopted on September 11, 2017, the Township Committee of the Township of Hopewell, County of Mercer, designated the area known as Block 85, Lots 3, 4, 5.01, 7 and 24 on the Township’s tax maps (the “Original Zaitz Area”) as an area in need of redevelopment under the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”); and

WHEREAS, by Ordinance No. 17-1672 and adopted on November 27, 2017, the

Township Committee adopted a Redevelopment Plan for the Original Zaitz Area, prepared by Banisch Associates, Inc. (the “Planner”) and entitled “Redevelopment Plan for Block 85, Lots 3, 4, 5.01,7 and 24 (the “Original Zaitz Redevelopment Plan”); and

WHEREAS, on January 8, 2018, the Township Committee adopted Resolution No. 18-28 directing the Planning Board to undertake a preliminary investigation as to whether the area including Block 85, Lot 30 and Block 86, Lots 32, 33, 34 and 130 on the Township’s tax maps (the “Additional Parcels”) meets one or more criteria for redevelopment area designation under N.J.S.A. 40A:12A-5 and should be included in the Original Zaitz Area to improve traffic conditions in such area; and

WHEREAS, the Planning Board of the Township of Hopewell, County of Mercer conducted such the preliminary investigation; and

WHEREAS, the Planning Board, on February 22, 2018, after the conclusion of a public hearing held on said date, adopted Resolution No. 18-10 finding and concluding that the Additional Parcels satisfy the criteria for redevelopment area designation set forth in N.J.S.A. 40A: 12A-5c, 5d, 5e and 5h, and recommending to the Township Committee that said area be designated an area in need of redevelopment; and

WHEREAS, the Township Committee favorably received the recommendation of the Planning Board and, by the adoption of Resolution No. 18-77 on February 26, 2018, designated the area including the Additional Parcels (together with the Original Zaitz Area, the “Amended Zaitz Area”) as an area in need of redevelopment; and

WHEREAS, Resolution No. 18-77 also authorized the preparation of a redevelopment plan for such area; and

WHEREAS, on February 26, 2018, the Township Committee introduced an ordinance approving an amendment to the Original Zaitz Redevelopment Plan to include the Additional Parcels therein (the “Original Amended Zaitz Redevelopment Plan”); and

WHEREAS, the Township Committee forwarded such ordinance and proposed Original Amended Zaitz Redevelopment Plan to the Planning Board for review pursuant to N.J.S.A. 40A:12A-7e; and

WHEREAS, the Planning Board reviewed such proposed Original Amended Zaitz Redevelopment Plan and, by Resolution adopted on March 8, 2018, recommended that the Township Committee adopt same with certain specific revisions thereto; and

WHEREAS, the Planner revised the proposed Original Amended Zaitz Redevelopment Plan to incorporate the Planning Board’s recommendations therein (as revised and dated March 12, 2018, the “Amended Zaitz Redevelopment Plan”); and

WHEREAS, the Township Committee finds that the Amended Zaitz Redevelopment Plan is designed to implement a comprehensive redevelopment strategy to overcome blighting conditions and improve traffic conditions in the Amended Zaitz Area and is intended to improve the quality of life of the residents, landowners, business owners and visitors thereto to the Township of Hopewell through new investment for business and job creation and enhance the safety of vehicular traffic; and

WHEREAS, the Township Committee desires to adopt the Amended Zaitz Redevelopment Plan attached hereto.

NOW, THEREFORE BE IT ORDAINED, that the Township Committee of the Township of Hopewell adopts the following provisions:

Section 1. Adoption of the Amended Zaitz Redevelopment Plan. The Township Committee hereby adopts the Amended Zaitz Redevelopment Plan for the Amended Zaitz Area and incorporates same into this Ordinance as if sent forth at length.

Section 2. Establishment of the Redevelopment Ordinance Title. This Ordinance may be known and cited as, “Expanded Zaitz Area Redevelopment Ordinance” adding Block 85, Lot 30 and Block 86, Lots 32, 33, 34 and 130 of the Township of Hopewell, Mercer County, New Jersey”.

Section 3. Purpose and Intent. The purpose and intent of this Ordinance is to further the following goals and objectives.

A. To return the property to productive use through the efforts of private capital and ownership.

B. To provide appropriate development standards to guide and facilitate the redevelopment of the Amended Zaitz Area in a manner consistent with the overall redevelopment goals.

C. To provide a Denow Road Extension which will provide enhanced access to regional travelers, local residents and occupants of the Amended Zaitz Area, by

extending the new road through and beyond the Amended Zaitz Area to connect with the traffic signal at Denow Road and Route 31.

D. To reduce the number of driveways to Route 31 and relocate the Shop Rite driveways to eliminate traffic safety hazards associated with current traffic flow.

E. To provide improved access and ingress/egress to the site and to help improve traffic flow in and around the Route 31 Circle. The potential southbound access road to Diverty Road shall not be constructed unless this road is also extended to Denow Road.

F. To provide an efficient use of the existing highway system and improve future access options through this portion of the Township.

G. Enhance the safety of vehicular, pedestrian and bicycle traffic by reducing the number of driveways on and near the circle and eliminating irregular and hazardous driveway alignments at the Route 31 Circle.

Section 4. Redevelopment Entity. The Township Committee shall act as the “Redevelopment Entity” pursuant to N.J.S.A. 40A-12A-4.c for purposes of implementing the Amended Zaitz Redevelopment Plan and carrying out redevelopment projects thereunder. In doing so, the Township Committee shall have all the powers set forth in N.J.S.A. 40A:12A-8 to effectuate its duties and responsibilities in the execution and implementation of said redevelopment plan.

Section 5. Annual Reports. Pursuant to the requirements of N.J.S.A. 40A:12A-43, the municipality shall submit an annual report to the Commissioner of the Department of Community Affairs of the State of New Jersey indicating the name, location and size of all projects undertaken in the subject redevelopment area.

Section 6. Section 17-138.b of the Land Use and Development Ordinance of the Revised General Ordinances of the Township of Hopewell shall be amended to add paragraph 24, as follows:

24. The official zoning map of the Township of Hopewell was amended on March 26, 2018 [such date being the date of the final passage of this ordinance] (Ord. # 18-1687) to designate Block 85, Lot 30 and Block 86, Lots 32, 33, 34 and 130 in the Zaitz Redevelopment Area pursuant to N.J.S.A. 40A:12A-7.c.

Section 7. Continuation. In all other respects, the Code of the Township of Hopewell shall remain unchanged.

Section 8. Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 9. Interpretation. If the terms of this Ordinance shall conflict with those of another Ordinance of the Code of the Township of Hopewell, then the restriction which imposes the greater limitation shall be enforced.

Section 10. Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 11. Enactment. This Ordinance shall take effect after final passage and publication in the manner prescribed by law.

Resolution IX-B, “Resolution of the Township of Hopewell Authorizing the Execution of a Redevelopment Agreement with U.S. Home Corporation D/B/A Lennar in Connection with the Redevelopment of a Portion of the Zaitz Redevelopment Area” was removed from the agenda for further negotiations.

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Kuchinski read by title the introduced ordinance:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY, RE-ESTABLISHING A DEER MANAGEMENT ADVISORY COMMITTEE.

Mayor Kuchinski declared public hearing open. No comments from the public.

Motion by Hart, seconded by Blake to close public hearing.

MOTION UNANIMOUSLY CARRIED

Motion by Hart, seconded by Kuchinski to adopt the introduced ordinance.

ROLL CALL VOTE:

AYES: Blake, Hart, McLaughlin, Mayor Kuchinski

NOES: None

ABSTAIN: Ruger

ORDINANCE ADOPTED

Ordinance advertised March 16, 2018, Hopewell Valley News. Posted municipal bulletin board as required by law.

ORDINANCE NO. 18-1688

AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, STATE OF NEW JERSEY, RE-ESTABLISHING A DEER MANAGEMENT ADVISORY COMMITTEE.

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

WHEREAS, on September 29, 2009, the Hopewell Valley Deer Management Task Force was created to develop a plan to mitigate negative impacts caused by deer on the quality of life of residents of Hopewell Valley and on the ecological integrity of its forests; and

WHEREAS, the Task Force was charged with (1) initiating a public education program, (2) creating a comprehensive deer management plan and (3) determining the requirements for long-term sustainability of a successful deer management plan; and

WHEREAS, the Task Force conducted eight (8) public meetings, distributed and analyzed a public questionnaire, performed a nighttime spotlight survey of the deer population and published articles about deer management issues in local newspapers; and

WHEREAS, in September, 2010 the Task Force presented its 56-page “Hopewell Valley Deer Management Plan” to the Hopewell Township Committee; and

WHEREAS, the Task Force found that the dramatic rise in the deer population has resulted in several negative impacts, including Lyme disease, deer-vehicle collisions, agricultural losses and landscape planting damage, all of which adversely affect the quality of life of residents of Hopewell Valley; and

WHEREAS, the Task Force also found that forests are adversely impacted by over abundant deer that graze on native plants and that the long term maintenance of forest cover is in jeopardy because new trees are eaten before they can replace those that fall; and

WHEREAS, the Task Force recommended a set of five (5) comprehensive goals to address these concerns, and offered eleven (11) specific strategies to meet the stated goals; and

WHEREAS, among other things the Task Force requested that the Hopewell Township Committee appoint a standing committee to implement the Task Force plan; and

WHEREAS, the Township Committee believes it to be in the best interest of the Township to re-establish an Advisory Committee that will meet at least monthly and provide the Township Committee with reports, information and advice about steps to take to better manage

the deer population in Hopewell Township and to mitigate the adverse effects of the deer population on the health, economics and ecology of the Township.

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

Section 1.

Chapter 2-5.1 of the Revised General Ordinances of the Township of Hopewell is supplemented as follows (addition is underlined):

2-5.1 Bodies Established. There shall be the following municipal and intermunicipal bodies:

* * *

n. Deer Management Advisory Committee.

Section 2.

Chapter 2 of the Revised General Ordinances of the Township of Hopewell is amended supplemented by adding a new Subsection [2-37] 2-37.9 Goals, as follows:

2-37. Deer Management Advisory Committee

2-37.1 Creation; Number of Members; Quorum. There is hereby established a Deer Management Advisory Committee, which shall consist of seven (7) regular members and two (2) alternates. Four (4) members shall comprise a quorum to do business.

2-37.2 Powers and Duties; Purpose. The Advisory Committee will render advice to the Township Committee on matters related to deer management. It will issue an annual report and undertake such other duties as may be requested from time-to-time by the Township Committee. The Advisory Committee's purpose is to help mitigate the adverse impact of the white tailed deer on the health, economics and ecology of Hopewell Township.

2-37.3 Membership; Appointment. The membership shall include at least one (1) farmer, one (1) hunter and one (1) master gardener. All members shall be appointed by the mayor.

2-37.4 Terms of Office. Initially, two (2) members shall be appointed to serve three (3) year terms, three (3) members shall be appointed to serve two (2) year terms and two (2) members shall be appointed to serve one (1) year terms. Thereafter, all regular members shall serve three (3) year terms. Alternate members shall serve one (1) year terms.

2-37.5 Election of Chair. The Advisory Committee shall select a chair from among its members and may select such other officers from among its members as it deems appropriate.

2-37.6 Adoption of Bylaws. The Advisory Committee may adopt its own bylaws, which shall not be inconsistent with this Ordinance or the laws of the state of New Jersey and which shall be submitted to the Township Committee pursuant to Section 2-5.8.

2-37.7 Meetings. The Advisory Committee shall meet at least monthly. Meetings shall be held in accordance with the Open Public Meetings Act.

2-37.8 Sunset Provision. Authorization for the Advisory Committee shall terminate five (5) years from the effective date of this ordinance unless the Township Committee, by ordinance, extends that authorization.

2-37.9 Goals. Improvement of Hunting Access and Efficacy

- Planning and continued implementation of the Township Deer Management Program
- Encouraging improved access and efficacy on both public and private lands
- Development of cooperative and coordinated approaches for deer management with the Township Agricultural Advisory Committee and broader agricultural community as well as non-profit conservation groups and County land managers
- Encouraging the establishment of a local butcher to become certified as an approved venison donation service with Hunters Helping the Hungry
- Explore potential application for Community Based Deer Management Permit

Avoidance of Deer Impacts

- Provide outreach and warning signage to minimize deer vehicle collisions
- Perform outreach on Lyme disease prevention and use of deer resistant landscaping

Section 3.

Severability. The various parts, sections, and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 4.

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 5.

Effective Date. This Ordinance shall take effect upon final passage and publication pursuant to law.

ORDINANCE – INTRODUCTION AND FIRST READING

Mayor Kuchinski read by title the ordinance for introduction.

AN ORDINANCE SUPPLEMENTING CHAPTER II, “ADMINISTRATION” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL IN THE COUNTY OF MERCER, STATE OF NEW JERSEY, BY ESTABLISHING THE POSITION OF “TOWNSHIP HISTORIAN”

Motion by Blake, seconded by McLaughlin 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 April 9, 2018 at 7:00 p.m.

ORDINANCE – INTRODUCTION AND FIRST READING

Mayor Kuchinski read by title the ordinance for introduction.

ORDINANCE OF THE TOWNSHIP OF HOPEWELL AMENDING CHAPTER XVII (ARTICLE IX, 17-168) OF THE CODE OF THE TOWNSHIP OF HOPEWELL ENTITLED THE HOPEWELL TOWNSHIP “LAND USE AND DEVELOPMENT ORDINANCE” (RO-1, 2 AND 3 DISTRICTS: RESEARCH/OFFICE DISTRICTS) (BMS)

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

ROLL CALL VOTE:

AYES: Blake, McLaughlin, Ruger, Mayor Kuchinski

NOES: Hart

ORDINANCE INTRODUCED

Second reading, public hearing date April 9, 2018 at 7:00 p.m.

CONSENT AGENDA ITEMS

PROCLAMATION AND RESOLUTIONS #18-112 THROUGH #18-113, Read by title.

Motion by Hart, seconded by Blake to adopt Proclamation and Resolution #18-112 through #18-113.

MOTION UNANIMOUSLY CARRIED

P R O C L A M A T I O N

**MIDJERSEY CHAMBER OF COMMERCE
150TH BIRTHDAY CELEBRATION**

WHEREAS, Hopewell Township takes special notice and acknowledges the 150th birthday of the MIDJersey Chamber of Commerce; and

WHEREAS, the MIDJersey Chamber is New Jersey’s oldest Chamber of Commerce and celebrated its 150th birthday on January 25, 2018; and

WHEREAS, the MIDJersey Chamber began in 1868 as the Trenton Chamber of Commerce and Board of Trade and has grown into a multifaceted organization that represent a membership from 6 counties in both New Jersey and Pennsylvania supporting businesses throughout the region as an advocate and partner, and offering many events and seminars annually focused on the growth and expansion of business; and

WHEREAS, the MIDJersey Chamber’s membership is comprised of every type of industry and size, from brick and mortars business to franchises to Fortune 500 companies, and proudly boasts the largest number of non-profit organizations as Chamber members in the entire State; and

WHEREAS, the MIDJersey Chamber will host its Annual Awards Gala on April 13, 2018 in recognition of its sesquicentennial.

NOW, THEREFORE, I, Kevin D. Kuchinski, Mayor of Hopewell Township, County of Mercer, State of New Jersey, do hereby congratulate the MIDJersey Chamber on its sesquicentennial.

RESOLUTION #18-112

**RESOLUTION FOR REDEMPTION
OF TAX SALE CERTIFICATES**

WHEREAS, on April 19, 2017 US Bank Cust- Tower DB VII Trust purchased Tax Sale Certificate 17-00009, for property located at Block 71 Lot 28.01 known as 14 Pennington-Lawrenceville Road, assessed to Gendusi Robert; and redeemed by Santander Bank, as mortgagee, on March 20, 2018; and

WHEREAS, the Township can now release the principal and interest received, and premium(s) if applicable.

NOW, THEREFORE, BE IT RESOLVED, on this 26th day of March 2018, that the Township Committee of the Township of Hopewell, Mercer County, State of New Jersey, hereby authorize the Tax Collector to release the amounts listed to the Lien Holder(s) or other party as specified below:

<u>BLOCK/LOT</u>	<u>OWNERS' NAME(S)</u>	<u>AMOUNT</u>	<u>LIEN HOLDER</u>	<u>PREMIUM</u>
71/28.01	Robert Gendusi	\$30,676.37	US Bank Cust- Tower DB VII Trust	\$40,100.00

BE IT FURTHER RESOLVED that a copy of this approved resolution is forwarded to the Tax Collector.

RESOLUTION #18-113

**A RESOLUTION DIRECTING THE HOPEWELL TOWNSHIP ZONING OFFICER TO
ISSUE A TEMPORARY ACTIVITIES PERMIT TO ANNE NIXON-ELLERY FOR A
YMCA FUND RAISING EVENT AT THE GLENMOORE FARM**

WHEREAS, Anne Nixon-Ellery seeks permission to use “The Glenmoore Farm” located at 105 Pennington Hopewell Rd on April 28, 2018 for a Fund Raising Event from 5:00 p.m. – 10:30 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 and Hopewell Valley Fire Safety who have raised no objections;

NOW, THEREFORE, BE IT RESOLVED, on this 26th day of March, 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 Anne Nixon-Ellery for a Fund Raising Event on April 28, 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.

RESOLUTION #18-114. Read by title.

Motion by Blake, seconded by McLaughlin to adopt Resolution #18-114.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-114

**2018 DEBT SERVICE RESOLUTION
(MATURING ON APRIL 6, 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 06, 2018, on a 2017 Note issued and outstanding;

NOW, THEREFORE, BE IT RESOLVED on this 26th day of March 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 06, 2018.

DEBT SERVICE – TOWNSHIP OF HOPEWELL 2016 NOTES

	<u>Principal</u>	<u>Interest</u>
Current Fund	\$ 62,648.00	\$ 63,412.35
Sewer	\$ 3,565.00	\$ 485.89
Water	\$ 10,000.00	\$ 124.00
TOTAL	\$ 76,213.00	\$ 64,022.24

RESOLUTION #18-115. Read by title.

Motion by McLaughlin, seconded by Blake to adopt Resolution #18-115.

ROLL CALL VOTE:

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

NOES: None

R E S O L U T I O N #18-115

**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 \$3,293,038.84

NOW, THEREFORE, BE IT RESOLVED, on this 26th day of March 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:

**	Sr Services O/E	650.00
	Total	650.00

- 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 #18-116. Read by title.
Motion by Blake, seconded by McLaughlin to adopt Resolution #18-116.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-116
A RESOLUTION AMENDING 2017
PROFESSIONAL SERVICES AGREEMENT TO CHANGE
FIRM NAME AND TERM

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

WHEREAS, it is necessary to amend this agreement to change the firm name and term on the contract; and

NOW, THEREFORE, BE IT RESOLVED on this 26th day of March, 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>CHANGE FIRM NAME TO</u>	<u>TERM</u>	<u>TERM</u>
Professional Health Care Services of Lawrenceville (Township Physician) 7-01-20-100-028	Mercerville Professional Health Care Services (MPHCS) (Township Physician) 7-01-20-100-028	Professional Health Care Services of Lawrenceville 1/23/17 – 9/30/17	Mercer Professional Health Care Services 9/1/17 – 12/31/17

RESOLUTION #18-117. Read by title.
Motion by McLaughlin, seconded by Blake to adopt Resolution #18-117.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-117
A RESOLUTION AMENDING 2018
PROFESSIONAL SERVICES AGREEMENT TO CHANGE
FIRM NAME

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

WHEREAS, it is necessary to amend this agreement to change the firm name on the contract.

NOW, THEREFORE, BE IT RESOLVED on this 26th day of March, 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>CURRENT FIRM</u>	<u>CHANGE FIRM NAME TO:</u>	<u>CURRENT TERM EXPIRES</u>	<u>PROPOSED TERM EXPIRES</u>
Professional Health Care Services of Lawrenceville (Township Physician) 8-01-20-100-028	Mercerville Professional Health Care Services (MPHCS) (Township Physician) 8-01-20-100-028	1/8/18 – 12/31/18	No Change

RESOLUTION #18-118. Read by title.

Motion by Blake, seconded by McLaughlin to adopt Resolution #18-118.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-118

A RESOLUTION AUTHORIZING A CONTRACT FOR AUDIO VISUAL CONSULTING SERVICES

WHEREAS, the Township of Hopewell has the need to upgrade their existing audio visual system located in the Township auditorium; and

WHEREAS, the Township wishes to hire the services of a consultant to assist in this endeavor; and

WHEREAS, multiple consultants were interviewed, 2 quotes were received: \$14,260.00 and \$7,600.00; and

WHEREAS, \$10,000.00 is available for this purpose (X-04-00-672-312); and

WHEREAS, DNS Media Group LLC’s quote for \$7,600.00 was found to be reasonable and acceptable; and

WHEREAS, a copy of DNS’s quote outlining services to be provided are hereby attached and incorporated as an integral part of this resolution; and

WHEREAS, Hopewell Township desires to award a contract to DNS Media Group, LLC, 186 Springbrook Trail, Sparta NJ 07871.

NOW, THEREFORE, BE IT RESOLVED, on this 26th day of March 2018 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that it hereby authorizes this award.

RESOLUTION #18-119. Read by title.

Motion by Blake, seconded by McLaughlin to adopt Resolution #18-119.

ABSTAIN: Hart

MOTION CARRIED

R E S O L U T I O N #18-119

A RESOLUTION DIRECTING THE HOPEWELL TOWNSHIP ZONING OFFICER TO ISSUE A TEMPORARY ACTIVITIES PERMIT TO PENNINGTON FARMERS MARKET FOR THE 2018 SEASON

WHEREAS, the Pennington Farmers Market seeks permission to use the Rosedale Mills property along Route 31, extending across the southwest side of the property to just south of the main entrance for vendor set-up as well as parking for a few vehicles when necessary with access to the area through openings in the hedge on the western edge of the parking lot, providing a means for pedestrians to enter without walking across any driveways; and

WHEREAS, an area for seating and an entertainment tent will be located near the southern edge of the grassy area for the 2018 season, 26 consecutive Saturdays, commencing May 26, 2018 through November 17, 2018 with operational time from 9:00 a.m. - 1:00 p.m., with set-up of the site commencing at 8:00 a.m. and breakdown of the site at 1:30 p.m.; and

WHEREAS, the Rosedale Mills employees and the volunteers and vendors of the Farmers Market will park in the lot of the office building across Titus Mill Road, owned by the Lovero Family, who have granted permission for such use so as to ensure adequate parking for customers on the Rosedale Mills site; 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 26th day of March 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 Pennington Farmers Market for the 2018 Season, 26 consecutive Saturdays, commencing May 26, 2018 through November 17, 2018 from 8:00 a.m. – 1:30 p.m., 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, including:

Fire Safety Permits will be required for any open flames and/or cooking that includes the use of charcoal grills, propane grills, smokers, electric hot plates, induction burners and the like, which may take place during the market; this is a requirement of the NJ Uniform Fire Code.

RESOLUTION #18-120. Read by title.
Motion by McLaughlin, seconded by Ruger to adopt Resolution #18-120.
ABSTAIN: Kuchinski
MOTION CARRIED

R E S O L U T I O N #18-120

A RESOLUTION DIRECTING THE HOPEWELL TOWNSHIP ZONING OFFICER TO ISSUE A TEMPORARY ACTIVITIES PERMIT TO ANNE NIXON-ELLERY FOR A HOPEWELL VALLEY EDUCATION FOUNDATION FUNDRAISER AT THE GLENMOORE FARM

WHEREAS, Anne Nixon-Ellery seeks permission to use her own property “The Glenmoore Farm” located at 105 Pennington Hopewell Road on April 13, 2018 for a Fundraising Event from 6:30 p.m. – 10:00 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 26th day of March 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 Anne Nixon-Ellery for a Fundraising Event on April 13, 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.

RESOLUTION #18-121. Read by title.

Motion by McLaughlin, seconded by Blake to adopt Resolution #18-121.

ABSTAIN: Hart

NOES: Mayor Kuchinski

MOTION CARRIED

Committee Member Hart recused himself and then moved down from the dais to the public podium and explained his proximity to the property and asked if some of the affordable housing property could be transferred to the Kooltronic's property. Mr. Goodell explained that Kooltronics would need to get developer's rights before that could be done. Mr. Goodell explained development and property rights as it relates to Kooltronic's situation. Members of the Committee voiced their concerns over the Resolution.

R E S O L U T I O N #18-121

A RESOLUTION TO ADOPT FORMAT FOR DEED RESTRICTION PURSUANT TO ORDINANCES §17-160(j)(3) AND 17-172(j).

WHEREAS, PENNWELL HOLDINGS, L.L.C., a limited liability company of the State of New Jersey, and THE GADBNEY ORGANIZATION, a partnership of the State of New Jersey, filed suit against the Township of Hopewell and the Hopewell Township Zoning Board, August 24, 2016 - **Docket #MER-L-1700-16** involving the interpretation of **Ordinances 17-160(j)** and **17-172(j)**; and

WHEREAS, the Court issued a partial ruling on July 14, 2017, resolving Counts 1 and 2, which had been filed against the Zoning Board, but holding in abeyance Count 3, which had been filed against the Township; and

WHEREAS, it is in the Township's interest to develop and adopt a format for the deed restriction that shall be used to preserve lands pursuant to the requirements of **Ordinances 17-160(j)(3)** and **17-172(j)**, and the Court has encouraged the parties to do so.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hopewell, Mercer County, that a deed restriction in the form attached hereto, shall be acceptable for preserving land pursuant to the requirements of **Ordinances 17-160(j)(3)** and **17-172(j)**.

RESOLUTION #18-122. Read by title.

Motion by Hart, seconded by McLaughlin to adopt Resolution #18-122.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #18-122

A RESOLUTION APPOINTING MEMBERS TO THE HOPEWELL TOWNSHIP DEER MANAGEMENT ADVISORY COMMITTEE

BE IT RESOLVED, on this 26th day of March, 2018 that I, Kevin D. Kuchinski, Mayor of the Township of Hopewell, County of Mercer, State of New Jersey, do hereby appoint the following members to the Hopewell Township Deer Management Advisory Committee:

	<u>TERM</u>	<u>EXPIRATION DATE</u>
Denise Moser	3 year	12/31/20
William Cane	3 year	12/31/20

	Michael Van Clef	2 year	12/31/19
Farmer	Chris Pazdan	2 year	12/31/19
	David Van Selous	2 year	12/31/19
	Dorothy Aicher	1 year	12/31/18
Master Gardener	John Piepszak	1 year	12/31/18

RESOLUTION #18-123. Read by title.
 Motion by Blake, seconded by McLaughlin to adopt Resolution #18-123.
ROLL CALL VOTE:
AYES: Blake, Hart, McLaughlin, Ruger, Mayor Kuchinski
NOES: None

R E S O L U T I O N #18-123

BILLS & CLAIMS

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment date March 26, 2018 in the following amounts:

Bills and Claims	\$ 1,147,614.00
Payroll	\$ 334,657.59
Total Disbursements	\$ 1,482,271.59

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

Senior Center Survey Presentation by Ken Zeldis

Mayor Kuchinski called a recess at 10:44 p.m.

The meeting reconvened at 10:51 p.m.

2018 MUNICIPAL BUDGET INTRODUCTION

Ms. Borges explained the tax rate and made comparisons to the 2017 budget. Mayor Kuchinski explained that the budget was being introduced and the public hearing for public input would be on April 23, 2018.

RESOLUTION #18-124. Read by title.
 Motion by Blake, seconded by McLaughlin to adopt Resolution #18-124 Introducing the 2018 Municipal Budget.
ROLL CALL VOTE:
AYES: Blake, Hart, McLaughlin, Ruger, Mayor Kuchinski
NOES: None

Public Hearing will take place April 23, 2018 at 7:00 p.m.

PUBLIC SECTION

The following members of the public spoke during public comment:

Michael Kiernan reminded the Committee that in 2014 when Kooltronic did it's low weight water infiltration test, they dried up the well of the Hopewell Valley Golf Course; commented on the amount of affordable homes that could possibly be built by Kooltronic; stated that a Kooltronic development makes no sense.

James Burd reminded Mr. Kataryniak that he is available mornings or afternoons to show him around Hopewell Township and asked him to contact him.

Melanie Phillips stated she was not comparing the PennEast Pipeline to the affordable housing mandate during her statement earlier; she was alluding to special treatment being given to PennEast compared to special treatment being provided for developers. Ms. Phillips addressed Mayor Kuchinski by stating she was pleased with him announcing eminent domain was not on the table but questioned earlier documents signed that indicate eminent domain. She then asked Mr. Goodell about receipt of redacted Executive Session meeting minutes.

Andrew Borders suggested again using the NIXLE text messaging service to inform citizens of incidents around the Township; asked for an update on the status of the Economic Development and Tourism Committee; quoted from a newspaper article from 2014 regarding a need for a Town Center type community; and asked Mr. Hart his ideas to reverse the trend of young people moving from the area. Ms. Borges reported that the Police Department no longer has NIXLE but will be implementing a new system.

Committee Members commented on development at the Zaitz tract and votes cast regarding affordable housing Ordinances and Resolutions.

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

EXECUTIVE SESSION RESOLUTION. Read into the record.

Mayor Kuchinski stated that the regular meeting will not reconvene following the Executive Session.

Motion by McLaughlin, 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 #18-125

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:

- Real Estate
 - Westrum Property
- Litigation
 - Deer Valley
 - PennEast
- Contract Negotiations
 - Pennington Senior Center

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 26th day of March, 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 11:08 p.m. the Executive Session was held.

At 11:41 p.m. the Regular meeting reconvened.

At 11:41 p.m., Motion by Blake, seconded by McLaughlin 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