

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

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**Monday, April 23, 2018 – 7:02 p.m.**

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**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, Attorney Galella

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**PLEDGE OF ALLEGIANCE TO THE FLAG** – Members of Boy Scout Troop 1776 led those in attendance in the Pledge of Allegiance to the flag.

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**PRESENTATION – OATH OF OFFICE TO PATROL OFFICER ADAM C. LIOTTA**

Municipal Clerk Gompf, administered the Oath of Office to Patrol Officer Liotta and Committee Member Blake presented him with his badge.

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**MINUTES SUBMITTED FOR APPROVAL**

Motion by McLaughlin, Seconded by Blake to approve January 25, 2018 Special and Executive Session Meeting Minutes as amended.

**MOTION UNANIMOUSLY CARRIED**

Motion by Blake, Seconded by McLaughlin to approve January 29, 2018 Special, Regular and Executive Meeting Minutes as amended.

**MOTION UNANIMOUSLY CARRIED**

Motion by Blake, Seconded by McLaughlin to approve February 13, 2018 Special, Regular and Executive Meeting Minutes.

**MOTION UNANIMOUSLY CARRIED**

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**PRESENTATION – ENVIRONMENTAL COMMISSION – REPLANTING OF THE AMERICAN CHESTNUT TREE**

Michael Aucott of the Environmental Commission explained that the Commission has reached the planting stage of the project and funds for the project have been included in this year's budget. Mr. Aucott also asked for the Committee's permission to plant trees in Woolsey Park. Mr. Aucott and Rex Parker presented the following through a Power Point presentation:

- There are very few American Chestnut Trees due to a blight fungus which was imported from Asian trees in the early 1900's.
- The Environmental Commission wishes to participate in a project that will help to bring the trees back.
- Range of the American Chestnut Tree in the United States.
- The tree is used for timber and food by wildlife.
- Explanation of trees' growth and reproduction.
- Sites within the Township which are adequate to regrow trees.
- Variety of trees which may be planted in the demonstration orchard.
- Utilization of small enclosures to prevent deer from eating the young trees.
- The Chestnut Foundation would like the Township to sign an agreement in which the Township would agree not to sell nuts or cuttings from the trees.
- Cross pollination of trees which creates blight-resistant offspring.
- Other organizations which are participating in the project.
- Trees are being stored and nurtured at D&R Greenway's nursery in Princeton.
- Educational outreach for the program.
- Reasons Woolsey Park would be an ideal site for the trees.

Members of the Committee made suggestions for the placement of the trees and voiced their support for the project.

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Mayor Kuchinski led those in attendance in a moment of silence for David Blackwell, the Township Historian, who passed away over the weekend. Members of the Township Committee shared their memories and expressed their feelings over Mr. Blackwell's loss. Mayor Kuchinski requested the flag be flown at half-staff in honor of Mr. Blackwell.

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#### **ADDITIONAL ITEMS FOR MEETING AGENDA**

A Resolution Authorizing Execution of a Grant Agreement with the New Jersey Historic Trust

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

Mr. Kataryniak reported on construction projects and advised that the Valley Road Bridge is closed between Pleasant Valley Road and Wooden's Lane for several months; Washington Crossing-Pennington Road will be paved between Route 29 and Bear Tavern Road for approximately 2 weeks; and there is ongoing utility construction work in the Elm Ridge Park neighborhood.

Mr. Kataryniak announced that the Department of Environmental Protection has designated Hopewell Township as a "Tree City U.S.A."

Ms. Borges reported on the interest and premiums collected from the Township's tax sale in which 18 properties were up for sale, 15 were sold and 3 were struck off to the Township. Ms. Borges also reported on the relocation of offices within the municipal building.

Committee Member Ruger reported on the Environmental Commission meeting; the Tree City U.S.A. appointment; the next bulky waste pickup will be in October; leaf collection will begin in November; and brush collection will begin on April 30<sup>th</sup>. Committee Member Ruger suggested visiting the Public Works' page on the Township's website for further information and also urged the public to call 609-537-0250 to report pot holes.

Committee Member Hart reported that he will be attending a meeting being held by

Assemblywoman Holly Schepisi regarding the Affordable Housing Crisis in West Windsor. Mayor Kuchinski commented that there is a Resolution on the meeting supporting one of the Bills she and some of the district legislators have supported and asked Committee Member Hart to share the Township Committees' support for her efforts.

Committee Member Blake reported on the Historic Preservation Meeting and the celebration of the publication of David Blackwell's article in the Hopewell Historical Newsletter regarding Poor Farm.

Mayor Kuchinski reported on the District Court Hearing regarding the PennEast Pipeline and stated that the Township, along with its residents; continue to contest the proposed use of eminent domain to force survey access as well as PennEast's taking of those lands. Mayor Kuchinski also reported that he attended the Stony Brook-Millstone Watershed Association's annual meeting and spoke with Acting-Director of the NJ Department of Environmental Protection, Catherine McCabe, who stated that she would like to walk the route of the pipeline to gauge its impact on Hopewell Township. He announced that invitations will be sent to Ms. McCabe and other environmental groups accommodating the walk.

Mayor Kuchinski announced that the Township Committee is supporting some of the legislation proposing some of the criteria that govern COAH in both the Assembly and Senate and there is new pending legislation that they are working on to understand that might be brought forward to the Township Committee to make further improvements at the legislative level as to how the process works moving forward.

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## 2018 MUNICIPAL BUDGET PUBLIC HEARING AND ADOPTION

Ms. Borges reviewed the key aspects of the budget through a Power Point presentation and stated that she anticipates this year that Hopewell Township shall once again have the lowest equalized municipal tax rate in Mercer County.

Mayor Kuchinski discussed highlights of the budget and proposed projects and goals for 2018.

Mayor Kuchinski opened the budget hearing to public comment.

**Jack Belmont**, a resident of Fairway Drive, thanked the Committee for delivering a responsible budget and delivering the service that residents expect for their hard-earned tax dollars. Mr. Belmont commented on the reduction of the surplus debt; maintaining the AAA Bond Rating from Standard and Poor's; and complimented the Committee for reducing the dependence on residential properties.

**James Burd**, a resident of Nursery Road, asked for clarification on the PILOT program, how long it will last, how it relates to what BMS and their predecessors have paid in the past and how will it affect the school taxes.

**Melanie Philips**, a resident of Washington Crossing-Pennington Road, asked: what PILOT CHS meant; asked for clarification on hotel revenues; what was the history of the 26% Township Debt indicated in the slide show; and questioned the lowering of the surplus budget.

**Jon Edwards**, a resident of Pennington Harbourton Road, stated he was pleased to see the surplus reduced and asked how much money has been allocated for attorneys in support of Assembly Bill 1648 and Senate Bill 2386.

**Courtney Peters-Manning**, a resident of East Acres Drive, thanked the Committee for another fiscally responsible budget; approved of paying down the Township's debt; and urged the Committee to pay off the Township's debt as quickly as possible.

**Linda Rogers**, a resident of Pebble Creek Court, thanked the Committee for working to maintain the AAA Bond Rating from Standard and Poor's and stated she was very pleased.

**Peter Sandford**, a resident of Chickory Lane and member of the Township's Finance Advisory Committee, praised Deputy Mayor Blake's leadership regarding the snow emergency budget; remarked that the budget is a result of hard work by many people, not just the Township Committee; cited examples of how Department Heads presented viable options that addressed the needs of the Township; commended the collaborative efforts which resulted in the budget; and stated he believes the budget delivered an appropriate tax levy for 2018.

**Andrew Borders**, a resident of Hilton Court, stated he attended several budget meetings and witnessed the Township Committee reviewing the budget line by line with department representatives and observed that a large percentage of the budget is allocated to legal expenses, which he supports. Mr. Borders voiced his support for the professional staff and their expertise; exploring new revenue sources to ease residents' tax burdens; and providing a business-friendly environment.

Mayor Kuchinski closed the public hearing on the 2018 Municipal Budget.

Committee Members and Ms. Borges addressed each question that had been previously asked.

Committee Member Blake read the following statement into the record: "In 2018 we have kept our costs low and we were able to hire essential personnel for the Police Department, our Community Development Office and Public Works. We have increased hours for the assistant in the Recreation Department and in addition long-term dedicated staff were recognized for their efforts and were given raises. Even with these new staff hires and raises, our total operating budget will be less in 2018 than it was in 2015. It is important to remember that our current Hopewell Township Committee has raised the tax levy less, over the past three years in total, than the 2015 Committee did in one. We have reduced our expenses by \$200,000.00 from 2017 and 5.9% since 2015. In the last three years the Hopewell Township Committee budgets have increased on average by less than 2%. With a lot of careful and intentional planning we have also drastically reduced our debt by \$1.8 million in 2018 and over the past two years we have reduced the Township's overall debt by 12%.

Working with our outstanding Finance Committee members, the Hopewell Township Committee has budgeted for a regular cycle of police car replacements and a sustainable snow removal plan, with increased down payments on Capital Projects and items depending on their estimated life. By reducing our debt we ensure future savings and interest costs. Because we know how important it is to plan for unexpected expenses, the proposed budget will allow us to maintain a fund balance, or a surplus, of \$10,000,000.00, a total of 35% average. Protecting this balance is vital to preserving the Township's AAA rating. This will ensure future savings and interest costs.

With my fellow Committee Members, I will continue to look for opportunities to increase shared services and be responsible stewards for our residents' tax dollars."

Committee Member Hart stated that most of the residents' taxes are going to paying for the schools and remarked about his plans for Pennytown. Mayor Kuchinski announced that a realtor shall be contracted to sell Pennytown and thanked Committee Hart for providing the third vote to sell it.

Committee Member McLaughlin thanked Ms. Borges for her guidance through the budget process and the department heads for providing responsible and reasonable requests. Committee Member McLaughlin stated that she is pleased to support a budget that is very careful with taxpayers' dollars but begins to restore some of the services that the Township residents count on and expounded on some of the changes that have come and will be coming to the Township.

Committee Member Ruger stated that he believes the budget is responsible, realistic and rational and that he is pleased to see the Township continue to pay down debt.

Motion by Blake, seconded by McLaughlin to adopt Resolution #18-148, A RESOLUTION ADOPTING THE BUDGET FOR THE YEAR 2018.

**ROLL CALL VOTE:**

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

**NOES:** Hart

**BUDGET ADOPTED**

(A COPY OF THE BUDGET RESOLUTION #18-148 IS HEREWITH ATTACHED AND MADE A PART OF THESE MINUTES)

At this time, Mayor Kuchinski thanked the members of Boy Scout Troop 1776 for coming and staying through the Budget Adoption process.

**ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION**

Mayor Kuchinski read by title the introduced ordinance:

ORDINANCE RE-APPROPRIATING \$196,967.11 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE 2018 ROAD PROGRAM IN AND BY THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY

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 Blake, seconded by Hart to adopt the introduced ordinance.

**ROLL CALL VOTE:**

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

**NOES:** None

**ORDINANCE ADOPTED**

Ordinance advertised April 13, 2018, Hopewell Valley News. Posted municipal bulletin board as required by law.

**ORDINANCE NO. 18-1691**

**ORDINANCE RE-APPROPRIATING \$196,967.11 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE 2018 ROAD PROGRAM IN AND BY THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY.**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. \$196,967.11 is hereby re-appropriated (the “Re-Appropriation Amount”) from the following ordinances of the Township of Hopewell, in the County of Mercer, New Jersey (the “Township”) which are no longer necessary for the various purposes for which the obligations previously were authorized:

<u>Section and Ordinance Numbers</u>	<u>Improvement Description</u>	<u>Date of Adoption</u>	Amount to be <u>Re-Appropriated</u>
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Section 3(c) of 15-1610	The acquisition of various equipment, including, but not limited to, heat pumps, a leaf collector, a boom mower, and an asphalt roller, including all related costs and expenditures incidental thereto.	June 8, 2015	\$57,602.00
Section 3(b)(ii) of 16-1630	Various improvements, including roof improvements, the acquisition and installation of a phone system and the acquisition of a security camera, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.	May 24, 2016	\$4,799.22
Section 3(d) of 16-1630	Various road improvements and chip seal, as more fully described on a list on file in the Office of the Clerk which is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.	May 24, 2016	\$130,120.90
Section 6(d) of 16-1630	Section 20 Costs	May 24, 2016	\$4,444.99
TOTAL:			\$196,967.11

Section 2. The Re-Appropriation Amount will be used to provide for the 2018 Road Program, as more fully described on a list on file in the Office of the Clerk which is hereby incorporated by reference as if set forth at length, including all work and materials necessary therefor and incidental thereto.

The above referenced improvements include all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.

Section 3. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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## **ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION**

Mayor Kuchinski read by title the introduced ordinance:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$3,581,887 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,358,144 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mayor Kuchinski declared public hearing open. No comments from the public.  
Motion by McLaughlin, 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, Hart, McLaughlin, Ruger, Mayor Kuchinski

**NOES:** None

**ORDINANCE ADOPTED**

Ordinance advertised April 13, 2018, Hopewell Valley News. Posted municipal bulletin board as required by law.

**ORDINANCE NO. 18-1692**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$3,581,887 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,358,144 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Hopewell, in the County of Mercer, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$3,581,887, including the aggregate sum of \$223,743 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$3,358,144 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
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a) **Road Department:**

The 2018 Road Program and Brandon Farms I, as more fully described on lists on file in the Office of the Clerk which are hereby incorporated by reference as if set forth at length, and improvements to Denow Road, including all



(ii) Acquisition of equipment, including a Best lock retro fit for Administration, heat pumps and a charging station, including all related costs and expenditures incidental thereto.	\$150,500	\$135,450	15 years
(iii) Site remediation at the former Public Works building, including all work and materials necessary therefor and incidental thereto.	<u>\$113,000</u>	<u>\$101,700</u>	40 years
TOTAL:	<u>\$279,900</u>	<u>\$251,910</u>	
GRAND TOTAL:	<u>\$3,581,887</u>	<u>\$3,358,144</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$3,358,144, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$323,548 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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## PUBLIC SECTION

The following members of the public spoke during public comment.

**Jon Edwards** commented on additional revenue generated by affordable housing which was not accounted for in the budget; asked where the \$23,000,000.00 figure for sewer infrastructure came from; was there more than one estimate; did the estimate come from a developer; and can the Township provide a detailed accounting of the \$23,000,000.00 figure. Mr. Edwards also commented on the 2015 fire which caused the large addition of a surplus to the budget and suggested, again, that Comcast appear at a future meeting.

**James Burd** represented that he was the President of Citizens Improving Affordable Housing and announced a meeting which will be held by Assemblywoman Holly Schepisi regarding affordable housing and requested written letters to the State Senators and Assembly members with regard to the necessity of modifying affordable housing laws.

**Allen Cannon**, a resident of Brookside Drive and former Deputy Mayor, cited his concerns over the water quality provided by the Trenton Water Works.

**Melanie Philips**, a resident of Washington Crossing-Pennington Road, requested an explanation as to the difference in a Community Development Director and a Community Development Coordinator and what do those positions entail; where the money for the Affordable Housing Liaison position will come from; and will the Affordability Assistance Program Manual be up for approval during the meeting or is it a first reading.

**Michael Kiernan**, a resident of Pennington-Hopewell Road, made certain comments about an Open Public Records Request he made.

Committee Member Blake addressed the concerns with Trenton Water Works stating notices come late, are unclear and very general and stated she has met with the Mayor of Trenton and others who have made it clear that the language used to communicate problems with the Trenton Water Works must come from the Department of Environmental Protection. Committee Members discussed conducting water testing for Hopewell Township residents.

Robert English, Township Health Officer, explained the problems Trenton Waterworks has been experiencing and possible solutions to the problems. Mr. English suggested residents test their wells regularly for lead. Committee Members strongly supported testing the schools' water.

Ms. Borges responded to Ms. Phillips' question regarding the recently added positions by stating that the Affordable Housing Liaison position was a requirement of the Settlement Agreement, and during the Township's search for a Community Development Coordinator, an individual was found that had experience as an Affordable Housing Liaison. Mr. Kataryniak explained the differences between the positions in more detail.

Ms. Borges explained that the Affordability Assistance Manual is a document which was required through the settlement agreement and has been prepared by the Township Planner according to the language of the law.

Ms. Gompf addressed Mr. Kiernan's questions regarding his OPRA requests stating that the documents he has requested have been in her office waiting to be picked up for over a week and that the Community Development Secretary had left a message notifying him the documents were ready to pick up.

Mayor Kuchinski replied to Mr. Edwards' question regarding where the a \$23,000,000.00 Affordable Housing sewer infrastructure costs came from stating he believed it was prepared by a licensed engineer and due to the ELSA changes, that number may go up. Mr. Kataryniak addressed the possible ELSA costs as it would relate to each home and also shared information on his meeting with ELSA regarding sewer expansion. Mayor Kuchinski and Mr. Kataryniak also commented on the changes the Department of Environmental Protection has recently enacted which have dramatically impacted sewer treatment costs.

**Jon Edwards** questioned if there was more than one engineer consulted to which Mr. Kataryniak replied that the redevelopers were working with one consulting company to do a combined study. Mayor Kuchinski added that Mr. Kataryniak has added his professional opinion as a licensed engineer and ELSA has performed another study which details the costs.

Mr. Edwards asked if there were alternatives examined to provide the service to which Mr. Kataryniak replied that redevelopers, through their consultants, are evaluating their sewer needs and exploring their options and additionally, he is examining it independently to see what is the most viable.

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

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At 9:28 p.m. Mayor Kuchinski called for a recess.

At 9:40 p.m. the meeting reconvened.

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#### **CONSENT AGENDA ITEMS**

**RESOLUTIONS #18-149 THROUGH #18-150**, Read by title.

Motion by Blake, seconded by McLaughlin to adopt Resolution #18-149 through #18-150

**MOTION UNANIMOUSLY CARRIED**

**RESOLUTION #18-149**

**RESOLUTION FOR REDEMPTION  
OF TAX SALE CERTIFICATES**

**WHEREAS**, on April 18, 2018 Nanda Joshi purchased Tax Sale Certificate 18-00014, for property located at Block 78.20 Lot 15 known as 202 Sandpiper Court, assessed to Ahmad Saif & Ali Midiha; and redeemed by Midiha Ali, as owner, on April 19, 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 23<sup>rd</sup> day of April 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>
78.20/15 C15	Ahmad & Ali	\$50.58	Nanda Joshi	\$400.00

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

**RESOLUTION #18-150**

**A RESOLUTION DIRECTING THE HOPEWELL TOWNSHIP ZONING OFFICER TO  
ISSUE A TEMPORARY ACTIVITIES PERMIT TO THE HOPEWELL ARTS  
COUNCIL FOR AN ASH TREE WOOD CUTTING AND PUBLIC VIEWING EVENT  
AT THE TOWNSHIP MUNICIPAL BUILDING**

**WHEREAS**, the Hopewell Arts Council seeks permission to use the Township Municipal Building, located at 201 Washington Crossing Pennington Road on May 05, 2018 for an ash tree wood cutting and public viewing event from 9:00 a.m.– 3:00 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 23<sup>rd</sup> day of April 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 the Hopewell Arts Council for an ash tree wood cutting and public viewing event on May 5, 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 #18-151.** Read by title.  
Motion by Blake, seconded by McLaughlin to adopt Resolution #18-151.

Ms. Borges, Committee Member Hart and Mayor Kuchinski expressed their best wishes to Mr. Kiesel in his retirement and said he will be greatly missed.

**MOTION UNANIMOUSLY CARRIED**

**RESOLUTION #18-151**

**A RESOLUTION ACCEPTING THE RETIREMENT OF**

**GEORGE K. KIESEL IN THE HEALTH DEPARTMENT**

**WHEREAS**, George K. Kiesel was appointed as a Sanitarian Trainee for the Hopewell Township Health Department on June 2, 1986; and

**WHEREAS** George K. Kiesel was moved up to a Sanitarian for the Hopewell Township Health Department on January 1, 1987; and

**WHEREAS** George K. Kiesel was reclassified as a Senior Sanitarian for the Hopewell Township Health Department on May 1, 1989; and

**WHEREAS** George K. Kiesel had a title change to Senior Registered Environmental Health Specialist for the Hopewell Township Health Department on June 17, 1999; and

**WHEREAS** George K. Kiesel has served Hopewell Township honorably throughout his over 31 years of service, and is now eligible for retirement.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Hopewell, that the Township Committee accepts the retirement of George K. Kiesel from Hopewell Township effective May 1, 2018; and

**BE IT FURTHER RESOLVED** that the Hopewell Township Committee, on behalf of itself and all municipal employees, wishes George K. Kiesel good health and happiness in his retirement.

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**RESOLUTION #18-152.** Read by title.  
Motion by Blake, seconded by McLaughlin to adopt Resolution #18-152.  
**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #18-152**

**A RESOLUTION APPOINTING A COMMUNITY  
DEVELOPMENT COORDINATOR IN  
COMMUNITY DEVELOPMENT DEPARTMENT**

**NOW, THEREFORE, BE IT RESOLVED**, on this 23<sup>rd</sup> of April by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that Cheryl Bergailo be and is hereby appointed as Community Development Coordinator in the Hopewell Township Community Development Department.

**BE IT FURTHER RESOLVED** that Cheryl Bergailo be compensated at an annual salary of \$75,056.12.

**BE IT FURTHER RESOLVED** that this appointment is effective May 14, 2018.

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**RESOLUTION #18-153.** Read by title.  
Motion by Blake, seconded by McLaughlin to adopt Resolution #18-153.  
**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #18-153**

**A RESOLUTION APPOINTING  
AN AFFORDABLE HOUSING LIAISON IN  
COMMUNITY DEVELOPMENT DEPARTMENT**

**NOW, THEREFORE, BE IT RESOLVED**, on this 23<sup>rd</sup> of April by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that Cheryl Bergailo be and is hereby appointed as Affordable Housing Liaison in the Hopewell Township Community Development Department.

**BE IT FURTHER RESOLVED** that Cheryl Bergailo be compensated at an annual salary of \$10,000.

**BE IT FURTHER RESOLVED** that this appointment is effective May 14, 2018.

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**RESOLUTION #18-154.** Read by title.

Motion by Blake, seconded by McLaughlin to adopt Resolution #18-154.

**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #18-154**

**A RESOLUTION ADOPTING THE TOWNSHIP OF HOPEWELL  
AFFORDABILITY ASSISTANCE PROGRAM MANUAL**

**WHEREAS**, Hopewell Township is required to maintain an Affordability Assistance Program Manual;

**NOW, THEREFORE, BE IT RESOLVED**, on the 23<sup>rd</sup> day of April, 2018 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the document entitled "Township of Hopewell Affordability Assistance Program Manual" is hereby adopted.

**RESOLUTION #18-155.** Read by title.

**R E S O L U T I O N #18-155**

**A RESOLUTION REAPPOINTING JIM ANDREWS  
HOPEWELL TOWNSHIP REPRESENTATIVE  
TO THE SOURLAND MOUNTAIN MUNICIPAL ALLIANCE**

**BE IT RESOLVED**, that I, Kevin D. Kuchinski, Mayor of the Township of Hopewell, County of Mercer, on this 23<sup>rd</sup> day of April, 2018 do hereby reappoint Jim Andrews as representative to the Sourland Mountain Municipal Alliance.

**RESOLUTION #18-156.** Read by title.

Motion by Blake, seconded by McLaughlin to adopt Resolution #18-156.

**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #18-156**

**A RESOLUTION AUTHORIZING CHANGE ORDER #1  
TO THE CONTRACT WITH MORE CONSULTING CORPORATION  
FOR ROOFING REPLACEMENT ON VARIOUS BUILDINGS  
B16-04R**

**WHEREAS**, on February 27, 2017 the Township Committee of the Township of Hopewell authorized a contract with More Consulting Corporation in the amount of \$67,000.00 for Roofing Replacement on Various Buildings (B16-04R) and

**WHEREAS**, the Township Engineer recommends that Change Order #1 which decreases the total contract amount by \$4,500.00 be approved by the Township Committee for the reasons outlined in his change order recommendation dated November 21, 2017; which is annexed hereto and made a part of this Resolution.

**WHEREAS**, the Township Chief Financial Officer certifies funds are available for this purpose, and

**NOW, THEREFORE, BE IT RESOLVED** on this 23th day of April, 2018 by the Township Committee of the Township of Hopewell, County of Mercer and State of New Jersey:

1. That Change Order #1 representing a decrease in the amount of \$4,500.00 be and is hereby approved with respect to the contract for Roofing Replacement Various Buildings.

2. That the amount of all Change Orders be a 0.067 decrease to the total contract amount, for a new contract amount with More Consulting Corporation of \$62,500.00.

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**RESOLUTION #18-157.** Read by title.

Motion by Blake, seconded by McLaughlin to adopt Resolution #18-157.

**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #18-157**

**RESOLUTION OF THE TOWNSHIP OF HOPEWELL, IN  
THE COUNTY OF MERCER, NEW JERSEY,  
DESIGNATING A CONDITIONAL REDEVELOPER FOR  
BLOCK 85, LOTS 4, 5.01, 7 AND 24 ON THE TAX MAP OF  
THE TOWNSHIP (SHOP RITE/WELLS FARGO/EXXON  
PROPERTIES) AND AUTHORIZING THE EXECUTION  
OF AN INTERIM COSTS AGREEMENT WITH RESPECT  
THERE TO**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, as amended and supplemented (the "Redevelopment Law") provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

**WHEREAS**, in accordance with the criteria set forth in the Redevelopment Law, the Township identified and designated the area consisting of Block 85, Lots 3, 4, 5.01, 7, 24 and 30, and Block 86, Lots 32, 33, 34 and 130, as set forth on the tax maps of the Township, as an "area in need of redevelopment" (the "Redevelopment Area") and adopted a redevelopment plan for the Redevelopment Area, entitled the "Redevelopment Plan for Block 85, Lots 3, 4, 5.01, 7, 24 and 40, and Block 86, Lots 32, 33, 34 and 130" (the "Redevelopment Plan"); and

**WHEREAS**, The Dreher Group, LLC ("Dreher") proposes to redevelop the portion of the Redevelopment Area consisting of Block 85, Lots 4, 5.01, 7 and 24 (the "Project Area") by constructing thereon new and renovated commercial space, including retail uses, a convenience store & fuel station, a restaurant and an expanded supermarket (collectively, the "Project"); and

**WHEREAS**, the Township has determined that in order to coordinate the redevelopment of the Project Area in the most timely and efficient manner, it is in the best interests of the Township to designate Dreher as the conditional redeveloper of the Project Area (the "Conditional Redeveloper"), pending the negotiation and execution of, among other agreements, a more comprehensive redevelopment agreement (the "Redevelopment Agreement") with Dreher; and

**WHEREAS**, the Township desires to authorize the execution of an interim costs agreement with Dreher (in the form attached hereto as **Exhibit A**, the "Interim Costs Agreement") to reimburse the Township for any and all costs incurred by the Township prior to the execution of a Redevelopment Agreement, including the Township's reasonably incurred out-of-pocket fees, costs and expenses related to the designation of the Conditional Redeveloper, the drafting of amendments to the Redevelopment Plan, if any, to be prepared by the Planning Consultant for consideration by the Planning Board, negotiation of the terms and conditions of a redevelopment agreement, financial or tax agreement, if applicable, and other documents related to the redevelopment of the Project Area including, but not limited to, fees for legal, real estate appraisal, accounting, engineering, planning and financial advisory services, including all such fees, costs and expenses incurred prior to the date of adoption of this resolution (the "Interim Costs").

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

**Section 1.** The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

**Section 2.** Dreher is hereby designated as the Conditional Redeveloper of the Project Area pending the execution of the Redevelopment Agreement with the Township.

**Section 3.** The within designation is hereby made for a limited period of one hundred twenty (120) days, and is contingent upon Dreher providing any additional Project related information as may be requested by the Township.

**Section 4.** The within designation is further contingent upon (i) Dreher agreeing to reimburse the Township for any and all Interim Costs in accordance with the Interim Costs Agreement and (ii) negotiating a formal Redevelopment Agreement between the Township and Dreher.

**Section 5.** The Mayor of the Township is hereby authorized and directed to execute the Interim Costs Agreement, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Township's redevelopment counsel and other professionals.

**Section 6.** This resolution shall take effect immediately.

**RESOLUTION #18-158.** Read by title.

Motion by Blake, seconded by McLaughlin to adopt Resolution #18-158.

**MOTION UNANIMOUSLY CARRIED**

### **R E S O L U T I O N #18-158**

#### **RESOLUTION IN SUPPORT OF ASSEMBLY BILL NO. 1648 AND SENATE BILL NO. 2386 ESTABLISHING ADDITIONAL FACTORS FOR MUNICIPAL ADJUSTMENT USED IN CALCULATING FAIR SHARE AFFORDABLE HOUSING OBLIGATIONS**

**WHEREAS**, the New Jersey's municipalities support the provision of affordable housing in a reasonable, rational and achievable way, consistent with economic realities and sound planning; and

**WHEREAS**, the Council of Affordable Housing (COAH) has not adopted regulations to establish the methodology for determining municipal affordable housing obligations since 1999; and

**WHEREAS**, COAH's inability to adopt regulations resulted in hundreds of municipalities being forced to seek declaratory judgements in the courts in order to comply with the State imposed municipal affordable housing obligations; and

**WHEREAS**, since 1999 both COAH and the State Legislature have restricted or abolished municipal compliance tools while failing to create new tools and means of compliance to facilitate the construction of affordable housing; and

**WHEREAS**, the Legislature and Administration need to partner with municipalities to facilitate municipal compliance by enabling new tools which generate funding, provide flexibility, promote transparency, provide incentives for municipalities and further the provision of affordable housing; and

**WHEREAS**, many municipalities have collected affordable housing trust funds while at the same time tax credits and other financial incentives for construction or rehabilitation have been significantly reduced, impeding the ability of local governments and their partners to advance affordable housing projects; and

**WHEREAS**, hundreds of municipalities statewide must address significant state and court imposed housing obligations as a result of the State's inability to enact a reasonable statewide policy; and

**WHEREAS**, it is the responsibility of the state and the legislature to assist municipalities and enact a rational housing policy with achievable obligations, sufficient compliance tools and appropriate financial resources.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township of Hopewell, Mercer County, New Jersey, that the State Legislature is urged to pass A1648/S2386 that would establish additional specific factors to be used in calculating the municipal adjustment for a municipality's fair share affordable housing obligation and also cap the number of units a municipality may have allocated as its affordable housing obligation with regard to the size of the municipal population; and

**BE IT FURTHER RESOLVED**, that A1648/S2386 lists the additional specific factors to be used in calculating the municipal adjustment as follows: (a) population of the municipality; (b) water supply and sewerage capacity in the municipality; (c) school class sizes and school

services in the municipality; (d) public safety services in the municipality; and (e) public transportation and traffic in the municipality; and the additional municipal adjustment factors required by the bill would require a more holistic examination of the actual state of affairs in a municipality, as well as of the potential impacts of additional development, in calculating its fair share affordable housing obligation; and

**BE IT FURTHER RESOLVED**, that the bill’s population cap would protect those municipalities that may face dramatic municipal population increases if mandated to add a large amount of additional affordable housing; and

**BE IT FURTHER RESOLVED**, that we must reach a solution to affordable housing in New Jersey; and

**BE IT FINALLY RESOLVED**, that certified copies of this resolution be distributed to the Governor Phil Murphy, Lieutenant Governor Sheila Oliver, Assemblywoman Holly T. Schepisi, Assemblyman Anthony M. Bucco, Senator Gerald Cardinale, Senate President Stephen M. Sweeney, Assembly Speaker Craig Coughlin, Senator Shirley Turner, Assemblyman Reed Gusciora, Assemblywoman Verlina Reynolds-Jackson, the Assembly Housing and Community Development Committee, the Senate Community and Urban Affairs Committee, the New Jersey Conference of Mayors and the New Jersey League of Municipalities.

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**RESOLUTION #18-159.** Read by title.  
Motion by Blake, seconded by Hart to adopt Resolution #18-159.  
**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #18-159**

**A RESOLUTION AUTHORIZING EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY HISTORIC TRUST**

**WHEREAS**, the Township Committee of the Township of Hopewell desires to further historic preservation through a grant from the New Jersey Historic Trust, State of New Jersey in the amount of \$14,910.00 for the following project: Mount Rose Distillery Site.

**NOW, THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Hopewell, Mercer County, New Jersey authorizes Elaine Borges, Administrator/CFO to execute a grant agreement with the State in an amount up to that awarded for the proposed project, and to seal the grant agreement.

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**RESOLUTION #18-160.** Read by title.  
Motion by Blake, seconded by McLaughlin to adopt Resolution #18-160.

**ROLL CALL VOTE:**

**AYES:** Blake, Hart, McLaughlin, Ruger, Mayor Kuchinski  
**NOES:** None

**R E S O L U T I O N #18-160**

**BILLS & CLAIMS**

**BE IT RESOLVED**, that the list of cash disbursements authorized for approval of bills for payment date April 23, 2018 in the following amounts:

Bills and Claims	\$ 12,474,577.97
Payroll	\$ 346,158.81
Total Disbursements	\$ 12,820,736.78

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**

Work Session on Transparency in Government with Represent US and Permitting of Alcohol in Public Parks.

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## **PUBLIC SECTION**

The following members of the public spoke during public comment:

**Jon Edwards** questioned if A-1648 and S-2386 pass, they would have no impact on the Township, given that contracts with a developer have already been signed and the impact would only be on Round 4.

**Michael Kiernan** suggested contacting M2 Associates to see if they conducted water testing on the Kooltronic site; made suggestions regarding placing “No Idling” signs at Pennytown and placing chains across the property to prohibit tractor trailer parking. Mr. Kiernan also requested that Public Works clean the property and asked the Township Committee what is their vision of Pennytown.

**Melanie Philips** questioned meeting notifications from the Township website.

**James Burd** asked if zoning was taken into consideration before the signing of the re-development contracts took place, and if they were not, could that be challenged in court. Ms. Galella explained the process which took place leading to the signing of the contracts. Mr. Burd questioned when the Ordinances can be found on the Township’s website to which Ms. Gompf replied that they are sent to the codifying company as soon as the Ordinance passes and they place it on the website in a “pending” folder in the code book which is online.

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 Kuchinski stated that the regular meeting may 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 #18-161**

### **EXECUTIVE SESSION RESOLUTION**

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

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

**WHEREAS**, the Township Committee wishes to discuss the following:

- Legal
  - Trenton Water Works
  - Affordable Housing Committee
  - PennEast

**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 23rd day of April, 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.

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At 10:18 p.m. the Executive Session was held.  
At 10:54 p.m. the Regular meeting reconvened.

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At 10:54 p.m., Motion by Hart, 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