

**HOPEWELL TOWNSHIP COMMITTEE REGULAR MEETING
VIA ZOOM VIDEO COMMUNICATIONS**

Tuesday, July 7, 2020 – 5:05 p.m.

PROPER STATEMENT OF NOTICE – Mayor McLaughlin called the meeting to order stating that notice of the meeting had been posted on the municipal bulletin board and forwarded to the Hopewell Valley News, The Times, the Trentonian and the Hopewell Express (the official newspapers) on July 1, 2020, in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975.

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

COMMITTEE MEMBERS PRESENT: Blake, Kuchinski, Peters-Manning, Ruger, Mayor McLaughlin

ABSENT: None

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

ALSO PRESENT: Attorney Horn

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

COMMITTEE MEMBERS AND STAFF REPORTS

Mr. Kataryniak reported that Mercer County will begin roadwork on Pennington-Harbourton Road on July 13th; the road will be closed between Bear Tavern Road and Route 31 for approximately 60 days for bridge repair; the 2020 chip seal work is progressing; micro-paving will begin shortly; the Bull Run Road project will begin soon; bids will be taken on the 2020 road program; and the road program is ahead of schedule this year.

Mr. Goodell reported that the Township was served with a cross claim from ELSA today. Committee Member asked what the Committee's powers are over the police force, who creates the policy and procedures of the police department and how they can be changed, to which Mr. Goodell replied that the Administrative Code 2.10, which is part of the Township's Ordinances, states municipalities have a choice if they want to have a police department; if so, certain State Statutes apply; in every police department there is a police function and a civilian function; one of the roles as a governing body is to serve as an appropriate authority over the civilian function, however, the governing body has no authority over the policing function which is governed by the Attorney General's guidelines; the police chief would be the appropriate authority over the police division of the police department; the police chief would provide the Committee with monthly reports; the Township Committee, by resolution, shall adopt and amend the rules and regulations for the government of the police department and employees; however, they shall be governed by the Attorney General's best practices; there is a strict set of laws that govern the Committee set forth in the Ordinances; according to the Attorney General's guidelines disciplinary matters are confidential; the Attorney General has directives regarding what can and can't be said about disciplinary matters; the Chief of Police shall be the hearing officer relative to all disciplinary proceedings involving a permanent, sworn member of a police department when the penalty is a suspension of five days or less; the Chief of Police shall review every disciplinary matter involving a sworn officer and shall determine whether, on the face of the complaint, the penalty for the alleged charges would exceed that limit; if the penalty would involve a suspension of more than five days, a demotion or dismissal, an independent hearing officer appointed by the Township Committee shall conduct a hearing and make recommended findings and conclusions to the

Township Committee which shall retain full authority to accept, reject or modify the hearing officers recommendation and make a final determination; after that process the officer would have the option of appealing the determination to the Superior Court.

Ms. Horn stated that Hopewell Township Police Department is guided by the Attorney General's guidelines and by the Township's own personnel policies; advised that the Township cannot share any personnel information and must abide by the requirements.

Mr. Goodell stated that the Township Committee's oversight function includes setting goals for the department, funding the department, staffing the department; clarified major and minor discipline; and announced that the return brief was filed in the Concerned Citizens case.

Ms. Borges reported that Recreation programs began with Art in the Park and everyone was compliant with the guidelines; playgrounds have reopened; and the auditors have completed their field work.

Ms. Gompf reported that the primary election is in progress and running smoothly.

Committee Member Blake reminded everyone to wear masks, even outdoors; and to pass people single-file.

Committee Member Kuchinski reported that the Township Committee has been working with local businesses to help support outdoor dining; and encouraged the younger members of our community to wear masks.

Committee Member Ruger reported that the Census rates are up to 77% response rate; there is still time to respond online, by mail or by phone.

Mr. Kataryniak reported on the Deer Management Advisory Committee.

Mayor McLaughlin stated that the first public section will only be for comments on items on the agenda.

PUBLIC SECTION

The following members of the public spoke during public comment:

Jon Edwards, a resident of Pennington Harbourton Road, commented on the work load of the interim health officer and questioned the status of a response to his question regarding well water contamination on Pennington Harbourton Road; expressed his concern about a COVID-19 outbreak at the prison; asked what the process will be for hiring a permanent health officer; and when will he receive an answer to the well water issue.

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

ORDINANCE – INTRODUCTION AND FIRST READING

Mayor McLaughlin read by title the ordinance for introduction.

ORDINANCE RE-APPROPRIATING \$44,705 PROCEEDS OF
OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN
ORDER TO PROVIDE FOR UPGRADES TO SOCIETY HILL PUMP
STATION IN AND BY THE TOWNSHIP OF HOPEWELL, IN THE
COUNTY OF MERCER, NEW JERSEY

Motion by Peters-Manning, seconded by Kuchinski to introduce the ordinance on first reading.

ROLL CALL VOTE:

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

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date July 20, 2020 at 5:00 p.m.

CONSENT AGENDA ITEMS

RESOLUTIONS #20-237 THROUGH #20-239, Read by title.

Motion by Kuchinski, seconded by Ruger to adopt Resolution #20-237 through #20-239

MOTION UNANIMOUSLY CARRIED

RESOLUTION #20-237

RESOLUTION FOR REDEMPTION OF TAX SALE CERTIFICATES

WHEREAS, on June 19, 2019 USB C Tower DB IX Trust 2019-1 purchased Tax Sale Certificate 19-00022, for property located at Block 99.01 Lot 25 known as 14 Forrest Edge Drive, assessed to Caola John c/o Santander Bank; this certificate was redeemed by Premier Abstract, as closing agent, on June 19, 2020; and

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

NOW, THEREFORE, BE IT RESOLVED, on this 7th day of July 2020, 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) as specified below:

<u>BLOCK/LOT</u>	<u>OWNERS' NAME(S)</u>	<u>AMOUNT</u>	<u>LIEN HOLDER</u>	<u>PREMIUM</u>
99.01/25	Caola John c/o Santander Bank	\$40,878.90	Tower DB IX Trust	\$54,100.00

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

RESOLUTION #20-238

A RESOLUTION AUTHORIZING RELEASE OF BOND (ROAD EXCAVATION NAVESINK DRIVE)

WHEREAS, bond was posted for a road excavation permit; and

WHEREAS, appropriate Township Department Officials have certified that conditions of road excavation permit have been met and recommend reimbursement of the bond.

NOW, THEREFORE, BE IT RESOLVED, on this 7th day of July, 2020 by the Township Committee of the Township of Hopewell, County of Mercer, and State of New Jersey:

1. That Road Excavation Bond money (\$140.00) posted on 05/27/2019 by Tindall & Ranson Plumbing, Heating & AC, P.O. Box 304, Windsor, NJ 08561 for 1 Navesink Dr., Pennington, NJ 08560 Block 78.11 Lot 1 (permit #20-0527-01) be and is hereby released.

RESOLUTION #20-239

A RESOLUTION AUTHORIZING REFUNDS FOR HOPEWELL TOWNSHIP RECREATION DEPARTMENT PROGRAM PARTICIPANTS

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

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

NOW, THEREFORE, BE IT RESOLVED, on this 7th day of July 2020 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following program refunds be and are hereby authorized:

AnnMarie Hughes	3 Mansfield Road	Ewing 08628	\$400.00
Cynthia Saindon	29 Meadow Lane	Pennington 08534	\$200.00
Laura Florio-Ellis	105 Laning Avenue	Pennington 08534	\$780.00
Elizabeth Frush	41 West Shore Drive	Pennington 08534	\$710.00
Marilyn Poltrino	9 Navesink Drive	Pennington 08534	\$710.00
Cheryl Watterson	8 Donovan Road	Pennington 08534	\$355.00
Kate Elliott	46 North Greenwood Ave	Hopewell 08525	\$390.00
Nancy Besant	78 Fiddlers Creek Road	Titusville 08560	\$355.00
Caroline Carroll	1212 River Road	Titusville 08560	\$355.00
Meagan Gabe	23 Larchmont Court	Pennington 08534	\$200.00
Bonnie Lieu	12 Linden Lane	Pennington 08534	\$200.00
Anna VanScoyoc	36 Orchard Avenue	Pennington 08534	\$200.00
Lindsay Ambriz	33 Navesink Drive	Pennington, 08534	\$200.00
Kathryn Somers	5 Morris Drive	Princeton, 08540	\$340.00
Paula Hearle	1 The Kings Path	Hopewell 08525	\$155.00
Cheryl Hogan	17 Elm Street	Hopewell 08525	\$170.00
Kerry Nulman	9 Morningside Drive	Pennington 08534	\$155.00
Diane Hemmer	4 Grant Street	Titusville 08560	\$155.00
Jennifer Galgano	21 Fanning Way	Pennington 08534	\$155.00
Veronica Christiff	50 Wilburtha Road	Ewing 08628	\$155.00
Kathy Coffey	15 Welwyn Ct	Pennington 08534	\$126.00
Diana Gregg	725 Denow Rd, Apt 338	Pennington 08534	\$97.00

RESOLUTION #20-40. Read by title.

Motion by Blake, seconded by Ruger to adopt Resolution #20-40.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #20-240

RESOLUTION AUTHORIZING AN EMERGENCY APPROPRIATION TO INCREASE A SHARED SERVICE AGREEMENT WITH MONTGOMERY TOWNSHIP FOR HEALTH OFFICER SERVICES

WHEREAS, an emergency has arisen with respect to an extension of a contract with Montgomery Township for shared services in the Current Fund and, no adequate provision was made in the 2020 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$14,000.00 and three (3) percent of the total operating appropriations in the budget for 2019 is \$468,000.00; and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed the (3) percent of the total operating in the budget for 2019.

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48:

1. An emergency appropriation is hereby made for an unanticipated increase in within the Current Fund in the amount of \$14,000.00
2. That said emergency appropriation shall be provided for in full in the 2021 budget, and is requested to be excluded from CAPS.

That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

RESOLUTION #20-241. Read by title.

Motion by Blake, seconded by Kuchinski to adopt Resolution #20-241.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #20-241

A RESOLUTION EXTENDING THE APPOINTMENT OF STEPHANIE CAREY AS INTERIM HEALTH OFFICER

BE IT RESOLVED on this 7th day of July 2020, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Shared Services Agreement between the Township of Hopewell and The Township of Montgomery for Interim Health Officer coverage for a ninety (90) day period effective February 25, 2020 was hereby extended for a thirty (30) day period beginning May 25, 2020; and

BE IT FURTHER RESOLVED that this Agreement may be further extended for successive 30 day periods by mutual agreement of both parties; and

BE IT FURTHER RESOLVED that this agreement be extended for an additional thirty (30) day period expiring July 25, 2020

RESOLUTION #20-242. Read by title.
Motion by Blake, seconded by Ruger to adopt Resolution #20-242.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #20-242

**A RESOLUTION TO CANCEL THE UNEXPENDED BALANCE IN THE
2020 NACCHO COVID 19 GRANT**

WHEREAS, a balance of \$147.77 remains outstanding in the 2020 NACCHO COVID 19 Grant; and

WHEREAS, it is necessary to formally cancel the appropriation reserve balance from the balance sheet of the grant fund.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of July 2020, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the following grant appropriation receivable and reserve balance be cancelled:

<u>Grant Title</u>	<u>Amount Cancelled</u>
2020 NACCHO COVID 19 Grant	\$147.77

RESOLUTION #20-243. Read by title.
Motion by Ruger, seconded by Blake to adopt Resolution #20-243.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #20-243

**A RESOLUTION AMENDING 2019 & 2020
PROFESSIONAL SERVICES AGREEMENTS
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 7th day of July, 2020 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Professional Services Agreements be and are hereby amended as follows:

<u>CURRENT FIRM</u>	<u>CHANGE FIRM NAME TO:</u>	<u>CURRENT TERM EXPIRES</u>	<u>PROPOSED TERM EXPIRES</u>
Coded Systems LLC (Maintenance and publishing of the Hopewell Township Code Book) 9-01-20-120-028	General Code, LLC (Maintenance and publishing of the Hopewell Township Code Book) 9-01-20-120-028	1/14/19 – 12/31/19	No Change
Coded Systems LLC d/b/a General Code (Maintenance and publishing of the Hopewell Township Code Book) 0-01-20-120-028	General Code, LLC (Maintenance and publishing of the Hopewell Township Code Book) 0-01-20-120-028	1/27/20 – 12/31/20	No Change

RESOLUTION #20-244. Read by title.

Motion by Peters-Manning, seconded by Kuchinski to adopt Resolution #20-244.

ROLL CALL VOTE:

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

NOES: None

R E S O L U T I O N #20-244

BILLS & CLAIMS

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment date July 7, 2020 in the following amounts:

Bills and Claims	\$	199,917.55
Payroll	\$	316,332.12
Total Disbursements	\$	516,249.67

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 – AS LISTED ON THE TOWNSHIP WEBSITE ON THE CLERK’S PAGE.

PUBLIC SECTION

The following members of the public spoke during public comment:

Jon Edwards requested to know when he will be receiving an answer on the water contamination on Pennington Harbourton Road; questioned if the Committee would direct the Health Officer to investigate what was happening at the prison; questioned what role Hopewell Township played in the mediation between ELSA and the interveners; and questioned if any of the officers involved in the Facebook matter have been reinstated.

Elizabeth Lamartine requested information on how to get her water tested; suggested that officers attend Black Lives Matters events; observed that she didn’t see any police at the Hopewell Township rally; and questioned what is being done.

Christopher Pierson, a resident of Harbourton Woodsville Road, questioned who the Committee is working with to help with police/community relations; questioned if the discipline for the Facebook posts would be coming from the Township Committee; and requested a visible sense of solidarity from the Committee.

Sheila Fields commented that the impression that the community is getting from the Township Committee is “we’re working on it, trust us;” stated she believes the Committee is missing the key point that things said in the meeting reach a small percentage of the Township; and believes the Committee should communicate to more of the community by issuing resolutions and putting things out in print.

Olivia Allen, a resident of Washington Crossing Road, clarified that there was one off-duty officer present at the last rally; questioned how many black officers have applied for positions in Hopewell Township over the past five years; and have any steps been taken to have another presentation over the concerns over Chief Maloney’s presentation.

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

EXECUTIVE SESSION RESOLUTION. Read into the record.

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

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

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #20-245

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:

- Personnel
- Litigation

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 7th day of July, 2020 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 6:13 p.m. the Executive Session was held.

At 7:54 p.m. the Regular meeting reconvened.

RESOLUTION #20-246. Read by title.

Motion by Kuchinski, seconded by Ruger to adopt Resolution #20-243.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #20-246

RESOLUTION APPROVING THE APPLICATION OF PAUL PIERSON TO CONDUCT A PUBLIC EXHIBITION

WHEREAS, application has been made by Paul Pierson to conduct a Public Exhibition in the Township of Hopewell at the Hopewell Township Municipal Building, 201 Washington Crossing-Pennington Road, Titusville, New Jersey, on July 18, 2020, between the hours of 1:00 p.m. and 3:00 p.m.; and

WHEREAS, the Hopewell Township Health Officer, the Hopewell Township Police Department and the Hopewell Township Bureau of Fire Safety have reviewed the application and

granted their approval to conduct the exhibition and recommend the granting of a permit pursuant to the Revised General Ordinances of the Township of Hopewell, Chapter IV, Section 4-3 Festivals and Large Assemblies.

NOW, THEREFORE, BE IT RESOLVED that:

1. This Resolution shall constitute a permit to conduct an outdoor public exhibition in accordance with the application submitted by Paul Pierson, which public demonstration is to be held July 18, 2020, at the Hopewell Township Municipal Building.

2. Paul Pierson shall be exempted from the several provisions of 4-3, et seq. (4-3.8 Exemptions. g. Events which will benefit the health, morals safety, welfare of the community and which, in the reasonable opinion of the Township Committee, will not involve or attract 200 persons or more as participants or spectators.)

3. The use of face masks is strongly encouraged. Chalk marks with 6-foot spacing marked out in the parking lot is encouraged.

4. No open flames or flame producing devices are permitted.

5. The Municipal Clerk is directed to forward a certified copy of this resolution to Paul Pierson, 256 4th Street, Fieldsboro, NJ 08505

At 7:57 p.m., motion by Ruger, seconded by Peters-Manning 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