

**HOPEWELL TOWNSHIP COMMITTEE REGULAR MEETING  
HOPEWELL TOWNSHIP MUNICIPAL BUILDING AUDITORIUM  
AND VIA ZOOM VIDEO COMMUNICATIONS**

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**Monday, June 13, 2022 – 6:31 p.m.**

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**PROPER STATEMENT OF NOTICE** – Mayor Peters-Manning 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 5, 2022, 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:** David Chait, Uma Purandare, Michael Ruger, Mayor Courtney Peters-Manning

Kevin Kuchinski arrived at 6:34 p.m.

**ABSENT:** None

**STAFF PRESENT:** Administrator/Public Works Director George Snyder, Municipal Clerk Laurie Gompf, CFO Julie Troutman, Director of Community Development/Engineer James Hutzemann, Attorney Scott Miccio

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**COLOR GUARD AND PLEDGE OF ALLEGIANCE TO THE FLAG** – The Color Guard posted the colors and led those in attendance in the Pledge of Allegiance to the flag.

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**MINUTES SUBMITTED FOR APPROVAL**

Motion by Chait, seconded by Ruger to approve January 18, 2022 Special and Executive Session Meeting Minutes; January 24, 2022 Special Meeting Minutes; and January 31, 2022 Special Meeting Minutes.

**MOTION UNANIMOUSLY CARRIED**

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**PRESENTATION – POLICE DEPARTMENT PRESENTATION – POLICE CHIEF**

Mayor Peters-Manning administered the Oath of Office to Police Chief James Rosso.

Chief Rosso thanked the Committee for the opportunity to be sworn in in person; that he was humbled and honored to serve the police department and the Hopewell Valley community; recognized his family, friends and mentors in attendance; provided examples of what the community may expect from the department in the future; and thanked his father, mother, mother-in-law, children, and wife.

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**PRESENTATION – POLICE DEPARTMENT PRESENTATION – OFFICER BLAKE DEMETER**

Chief Rosso explained that Officer Blake DeMeter came to Hopewell Township as a Special Class II Officer from the Deal Police Department. Officer DeMeter's parents and brother came forward for the swearing in.

Mayor Peters-Manning administered the Oath of Office to Officer Blake DeMeter.

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**PRESENTATION – POLICE DEPARTMENT PRESENTATION – LIFE SAVING AWARD**

Chief Rosso called forward Sergeant Mark Panzano and Officer Michael Crincoli of the Hopewell Township Police Department, and James Li and Naomi McCarty of the Pennington First Aid Squad.

Chief Rosso stated that on the night of May 12, 2022 at approximately 6:30 p.m., Sergeant Mark Panzano and Officer Michael Crincoli responded to Stony Brook Elementary School for a report of a five-year-old child who was unresponsive and not breathing. Sergeant Panzano and Officer Crincoli arrived at the school within minutes and located the child near the soccer fields. Officer Crincoli assessed the victim and found him unresponsive and in cardiac arrest. Resuscitation efforts immediately followed. Sergeant Panzano provided oxygen while Officer Crincoli readied the automated external defibrillator. Officer Crincoli applied the defibrillator which indicated that shock was necessary. Once the shock was delivered, Sergeant Panzano and Officer Crincoli continued CPR and additional shocks were delivered.

Care of the victim was then transferred to Pennington First Aid Squad and Capital Health system paramedics. The victim later regained a pulse and was breathing on his own. Pennington First Aid Squad transported the victim to a local hospital where he was admitted. Due to Sergeant Panzano, Officer Crincoli, Naomi McCarty and James Li's efforts during that night, they were able to place the juvenile into a more advanced medical personal care.

Chief Rosso added that Officer Crincoli and Sergeant Panzano visited the juvenile in Pennsylvania where they took some photos and provided him with a toy replica of the Hopewell Township Police car; that they went above and beyond, and that the child is doing well to this day.

Chief Rosso thanked them for their service, for rendering aid to the juvenile and presented each with their award.

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**PRESENTATION – PROCLAMATION DECLARING JUNE 2022 AS LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUEER PRIDE MONTH IN HOPEWELL TOWNSHIP**

**PROCLAMATION**

**DECLARING JUNE 2022 AS LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND QUEER PRIDE MONTH IN HOPEWELL TOWNSHIP**

**WHEREAS**, Hopewell Township residents recognize the human rights of all citizens and support an end to all forms of prejudice and discrimination; and

**WHEREAS**, the members of the Hopewell Township Committee are committed to promoting equality and fostering a welcoming and supportive environments for all; and

**WHEREAS**, Lesbian, gay, bisexual, transgender and queer residents have made important contributions to the history and quality of life of our nation; and

**WHEREAS**, lesbian, gay, bisexual, transgender and queer individuals and families across the United States continue to face significant forms of oppression and discrimination; and

**WHEREAS**, this June 2022 is the fifty-third anniversary of the Stonewall Inn demonstrations, which are regarded as a catalyst in the fight for lesbian, gay, bisexual, transgender and queer rights.

**NOW, THEREFORE, BE IT RESOLVED**, that Mayor Courtney Peters-Manning of the Township of Hopewell, with the support of the Hopewell Township Committee, hereby recognizes June 2022 as lesbian, gay, bisexual, transgender and queer pride month in Hopewell Township and urges all of our residents to celebrate diversity and inclusion; promote equality; acknowledge the achievements and contributions of lesbian, gay, bisexual, transgender and queer people; and strive to eliminate prejudice everywhere that it exists; and

**BE IT FURTHER RESOLVED**, that the Hopewell Township Clerk shall send a copy of this Proclamation to each municipality in the County of Mercer and to the Mercer County Board of County Commissioners.

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**PRESENTATION** – A RESOLUTION DESIGNATING JUNE 19, 2022, AS “JUNETEENTH INDEPENDENCE DAY” IN RECOGNITION OF JUNE 19, 1865, THE DATE ON WHICH NEWS OF THE END OF SLAVERY REACHED THE SLAVES IN THE SOUTHWESTERN STATES

**RESOLUTION #22-210.** Read by title.

Motion by Ruger, seconded by Purandare to adopt Resolution #22-210.

**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #22-210**

**A RESOLUTION DESIGNATING JUNE 19, 2022, AS  
“JUNETEENTH INDEPENDENCE DAY” IN RECOGNITION OF JUNE 19, 1865, THE  
DATE ON WHICH NEWS OF THE END OF SLAVERY REACHED  
THE SLAVES IN THE SOUTHWESTERN STATES**

**WHEREAS**, Juneteenth, or Juneteenth Independence Day, commemorates the traditional observance of the end of slavery in the United States and is observed annually on June 19<sup>th</sup>; and

**WHEREAS**, news of the end of slavery did not reach the frontier areas of the United States, in particular the State of Texas and the other Southwestern States, until months after the conclusion of the Civil War, more than 2 ½ years after President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863 declaring that “all persons held as slaves within any State or designated part of the State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free”; and

**WHEREAS**, the first official Juneteenth celebration took place in the State of Texas and have continued across the United States for more than 150 years and is the oldest nationally celebrated commemoration of the ending of slavery; and

**WHEREAS**, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures; and

**WHEREAS**, the faith and strength of character demonstrated by former slaves and the descendants of former slaves remain an example for all people of the United States, regardless of background, religion or race; and

**WHEREAS**, Juneteenth is an important opportunity to honor the principles of the Declaration of Independence and celebrate the achievements and contributions African Americans have made, and continue to make.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Hopewell does hereby recognize June 19, 2022 as “Juneteenth Independence Day” and recognizes the significance of Juneteenth and the observance of the end of slavery as part of the history and heritage of the United States.

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**PRESENTATION** – ICON CANNA, LLC – RETAIL CANNABIS PROPOSAL

Kimberly Noyd, Founder of Icon Canna, LLC and a resident of Hopewell, explained that her company is seeking a New Jersey Class 5 Cannabis Retailer License for a dispensary; that they would like to have the dispensary in Hopewell; that she lives in Hopewell; her family, friends, and children live in Hopewell; that because of their connection to the community it is of great importance that the company makes the community feel proud and safe; that the company will be a positive influence on every level of engagement with the community; that safety and low impact will be fundamental to their mission; that they will focus on premium products sourced through local, New Jersey licensed, cultivators and manufacturers; that they will create an estimated 30 to 50 jobs; that the facility will be a good representation of what the community is now and fit the historic character the town deserves. She emphasized that the company will have experience behind it due to the fact that team members come from Colorado and Massachusetts.

Erik Williams, Co-Founder of Icon Canna, LLC, explained that the company is a social equity, women-owned company; advised that he has been in the cannabis industry since 2010 following a 20+ year career in politics in government; that they have operated cannabis dispensaries in Colorado, Illinois and Massachusetts; that the facility will have a customer service experience that is unique, empathetic, professional, and secure; that the facility will provide for good flow of traffic in the facility; traffic mitigation outside the facility; and that they will follow the rules set by the Township and the State of New Jersey.

Ms. Noyd explained that their building could be placed on any site that is compliant with Hopewell Township ordinance, but they are very interested in Pennytown; that they would not be interested in developing the entire 30 acres of Pennytown; that they would hope that their building would be a catalyst for others to build at Pennytown; that the building would be new; 3,500 square feet; purpose built facility from the hand-hewn pine post and tie beams of an antique mortis and tenon barn; that the entrance would be off of Route 31 utilizing the existing parking; explained the floor plan; and showed renderings of what the building would possibly look like.

Mr. Williams explained how Icon Canna would comply with security, consumer and community education, traffic control, hours of operation, location and conditional use regulations, site management, pollen and seed control, and licensing and fees. He also expressed that building at Pennytown could possibly be a catalyst to more development at the site and that the team operating the business is experienced and professional.

Ms. Noyd closed by emphasizing that they are local and care about the community; that they have experience; are knowledgeable; are passionate; and prepared.

Ms. Gompf announced that there were four Committee Members present in-person and that Committee Member Kuchinski was present on Zoom, constituting a full quorum.

Committee Members questioned the security measures which would be in place at the actual facility. Mr. Williams responded that the facility will most likely be the most secure building in all of Hopewell; that cameras will be utilized from the time anyone enters the parking lot and goes into the facility; that ID will be checked three times when purchasing in the facility; products will be in locked cabinets and unavailable to be touched by customers; products would be stored in the vault; that there would also be motion detectors; glass break detectors; alarms; and call lists in the event of alarms.

Committee Members questioned the conditional application as it relates to the applicant basing their application on being placed at Pennytown, which is a plot of land they do not own. Gene Markin, Esq., of Stark and Stark, attorney for the Icon Canna team, stated that he is helping them prepare their conditional application to the State. He advised that they would be submitting an operating plan and management profile to the State which shows that the company has the expertise, and the team members to operate the business; that this application is not specific to a particular location; that the conditional license will be based on the ability to operate the business, a financial plan, and a model of what it will look like; that once the conditional application is approved the company has four months to find a site; that site will require local Township approval; that it would require a zoning letter of support; that it would also require a resolution in favor of the applicant entity; once the location is required, the rest of the application must be submitted, which is called a conversion application; that the conversion application converts the conditional license into a full annual license. Mr. Markin explained that the conditional license would not be specific to Hopewell and that once the conditional license was approved they would need to choose a site when they submit their conversion application.

Mr. Miccio explained that he has written into the resolution to be considered this evening that if Icon Canna, LLC is unable to obtain control of the proposed location, being the Pennytown location, it will seek another location in the Township where cannabis retail is permitted. Mr. Markin clarified that the application does allow them to indicate a proposed location; that they would like to use the Pennytown location; that they know that the Township has limited the number of local approvals; and that there are many things that are still contingent on the actual property.

Mr. Miccio explained that the Township has passed an ordinance limiting the number of cannabis retail sites to two; that it has already issued a letter of local support to one business; that there are three resolutions for local support on the agenda tonight; that State guidance allows municipalities to limit the number of cannabis business allowed to operate within the municipal borders and should not issue letters or resolutions of support in excess of the number of cannabis businesses allowed to operate within the border unless such letters or resolutions of support specify that license applicants that received commission approval first in time shall be deemed approved by the municipality until the local license limit is reached; that this means that hypothetically, if the Committee approves all three resolutions of local support this evening, the resolution would indicate to the State that there are only two, but the Township is willing to accept the first two approved by the State.

Committee Members questioned the other types of businesses which might be drawn to Pennytown

if Icon Canna, LLC were to build there. Mr. Williams replied that, in other places, office spaces, an event space, restaurants, a hair salon, a baker, and a bagel shop opened. Committee Members asked if Icon Canna was committed to open in Hopewell Township to which Mr. Williams replied that they were 100% committed to Hopewell Township; that if Pennytown was not a feasible site, that they are working with a company that has identified other sites that would comply with Hopewell Township's Ordinance requirements.

Discussion ensued regarding lines at the business, traffic and safety. Committee Members questioned if revenue, jobs and traffic would be equivalent if the site was moved to a different location other than Pennytown to which Mr. Williams replied that he expected it to be the same regardless of where the location was within Hopewell Township. Committee Members questioned if there would be consumption on-site to which Mr. Williams responded that there would be none. Committee Members urged Mr. Williams to disclose a site they would choose if Pennytown was not viable however, Mr. Williams was reluctant to disclose such a site.

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## **COMMITTEE MEMBERS AND STAFF REPORTS**

Mr. Hutzemann reported that the 2022 Road Paving Program bids for chip seal, mill and overlay will be accepted tomorrow; that the resolution for endorsement for the 2023 Pennytown, Rocky Hill Road Municipal Aid Grant is on the agenda tonight; and that the field work for road assessments to prioritize the road inventory is taking place.

Mr. Snyder reported that there will be a Work Session at the July 11<sup>th</sup> meeting regarding sidewalks on East Welling Avenue and that the residents will receive letters regarding same.

Mr. Miccio reported that there was a case management conference with the Judge regarding the Hopewell Borough/Pennington Borough v. Hopewell Township litigation; that discovery requests were exchanged; that there may be discovery motion practice engaged; and that the Committee will be updated.

Ms. Gompf reported that Election Day went smoothly during the day; that there were a few small glitches concerning the return of supplies by the poll workers; and that voter turnout was extremely low.

Committee Member Chait reported on the Affordable Housing Committee meeting; brush and Freon collection; thanked all involved in the "Come Outside and Play" event at Woolsey Park last week; and advised of the upcoming Lower Delaware Wild and Scenic River Management Council meeting.

Committee Member Ruger advised of the upcoming Citizen's Equity Advisory Committee meeting.

Committee Member Purandare announced that the State is seeing a downward trend in COVID transmission; that the local transmission rate is slightly higher but declining; that there is a high alert of Monkey Pox in New Jersey; that June is Men's Health Month and that the Health Department will be holding an event for Men's Health Month; advised to go to the Health Department's website for more information on the event; and praised the efforts of the Senior Services Coordinator and Police Department on Operation Blue Angel.

Committee Member Kuchinski reported on the upcoming Parks and Recreation Advisory Committee meeting and that there will be a department head meeting regarding generating revenue without creating an undue burden on taxpayers.

Mayor Peters-Manning reported that the Deer Management Advisory Committee will conduct a joint meeting with the Agricultural Advisory Committee on farmland assessed properties and best practices for deer management; that the Police Department is selling challenge coins in association with Life Ties which is an organization that works with at risk youth and runs an LGBTQ home called Triad House; and that members of the Police Department are wearing a special patch.

Matt Dikovics, representative of Floro Hopewell, introduced Dr. Rana Harb, Chief Executive Officer; Hilton Silberg, Vice President of Operations; and Anmar Asmar, Vice President of Retail; advised that they own and operate Gage Cannabis Co. Cookies and Lemonade; provided their background in the cannabis market; spoke of their charitable contributions; advised that Floro believes in transparency in their operations, product line and supply chain; expounded on the job benefits at Floro; reviewed Floro's security plan; explained that they work with Sapphire Risk for their security; advised that their proposed location would be 2516 Pennington Road; described the square footage, parking, and zoning of the property; that they currently have site control over the property; and that they will renovate the site.

Committee Members questioned the parking and traffic impact and accessibility to which Mr. Dikovics responded that they would be happy to share the site development plans that reflect the parking and that Floro would be happy to amend parking to the Township's specifications if need be. Mr. Dikovics was also asked how Floro would address the traffic coming from the Pennington circle. He advised that they have done traffic and road planning as part of the development plan for the parcel which they would gladly share.

Committee Members queried if the referral to cookies and lemonade in the proposal were items that were sold at the business or the actual business's names and also questioned what the Hopewell Township business would be named. Mr. Dikovics replied that the Hopewell Township business would be named Floro Hopewell; that Cookies, Lemonade, and Gage are currently brands that are operated in Michigan, Canada and California. Mr. Dikovics was also asked if Floro was applying to any other municipalities to which he responded that they were not. Also discussed was whether Cookies, Lemonade and like brands would be sold at the Township site. Mr. Dikovics assured Committee Members that those items would not be sold in the Township and that the State of New Jersey's regulations strictly prohibit the marketing of products that entice underage users.

The exact site of the business was discussed, as was the concern of creating an opposite traffic turning point on the highway. Committee Members questioned the projected revenue from the business to which Mr. Dikovics responded that it would be difficult to predict due to supply chain fluctuations. Committee Members also requested the number of employees at the facility at any given time; questioned where the location was in respect to the Department of Transportation's right-of-way; and inquired as to the proximity of the business to the affordable housing development.

Mr. Miccio explained what a Letter of Approval from the Township will mean to an applicant; that regulations require that the Township confirm that the applicant's proposed location is zoned appropriately for a cannabis business, which this presenter's site is; that if the applicant is given a resolution of support it would not reach the limit imposed by the municipality; that the Township is permitted to give resolutions of support beyond the limit as long as it is noted in the resolution that the Township would take the first applications approved by the State; and questioned the employee/customer parking space ratio. Mr. Dikovics addressed the parking space ratio by stating that they had presented a preliminary estimate based on the amount of square footage of the site design; and that there will be many more dispensaries open by the time their business is operation which will lower the amount of customers coming into the building; that they will figure out the appropriate balance of parking for the site and that he believes the Planning Board phase is the appropriate venue for that to take place.

Mayor Peters-Manning opened the meeting to receive questions from the public.

**Jon Edwards**, a resident of Pennington Harbourton Road, questioned if applicants would be dissuaded from selling to a person who comes into a business with a Pennsylvania license at 5:00 p.m.; questioned if they would know if a person had a police record for selling to minors; questioned if they would know if someone was buying at multiple stores; spoke of concerns regarding the placement of stores around high density residential areas; made certain remarks suggesting that the Committee choose which businesses they wanted tonight; and requested an update as to the litigation with Pennington and Hopewell Boroughs.

Mayor Peters-Manning responded that State law requires that ID be checked for legal age only. Mr. Miccio advised that, regarding the litigation, the Township has had a case management conference with the Judge and the Township is currently engaged in discovery motion practice.

Mayor Peters-Manning questioned if the Township was allowed to “pick winners and losers” or was the Township required to agree that the applicants met all the Ordinance requirements and the CRC would determine the licensing. Mr. Miccio replied that under the Township Ordinance and the State Regulations, that what the Mayor described is what the municipality’s role is at this point; that if the Township was inclined to grant all three, the Ordinances state that the Township would receive them in the order in which the State issues the State licenses; that there is a provision that allows the municipality the ability to state a preference; however that ability comes at a later date.

Mayor Peters-Manning explained that at this time that the Committee would take into consideration the three cannabis resolutions into consideration; that the Township is not expressing its preference; and that preference would come at a later date.

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**RESOLUTION #22-211.** Read by title.

Motion by Chait, seconded by Purandare to adopt Resolution #22-211.

**ROLL CALL VOTE:**

**AYES:** Chait, Purandare, Ruger

**NOES:** Kuchinski

**ABSTAIN:** Mayor Peters-Manning

### **R E S O L U T I O N #22-211**

#### **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HOPEWELL IN SUPPORT OF THE STATE CANNABIS RETAIL APPLICATION OF JERSEY MEDS MANAGEMENT LLC**

**WHEREAS**, on April 18, 2022, the Township Committee of the Township of Hopewell adopted Ordinance No. 22-1770, which permits the retail of cannabis as a conditional use in the Township’s commercial zones; and

**WHEREAS**, N.J.A.C. 17:30-5.1(g) states that, by resolution, “A municipality may demonstrate proof of local support for the suitability of a cannabis business’s proposed location by indicating that the intended location is appropriately located or otherwise suitable for the activities related to the operations of the proposed cannabis business;” and

**WHEREAS**, the New Jersey Cannabis Regulatory Commission’s “Notice of Application Acceptance for Personal Use Cannabis Licenses” indicates that:

Applicants for annual cannabis business licenses and conditional conversions shall include proof of local support in their applications, which shall be submitted as:

1. If the municipality has a governing body, a resolution by that governing body that includes:
  - a. The license applicant’s legal name under which they are registered to do business in the State of New Jersey;
  - b. A determination that the municipality has authorized the type of cannabis business license being sought by the license-applicant to operate within its jurisdiction; and
  - c. A confirmation that if the municipality has imposed a limit on the number of licensed cannabis businesses, the issuance of a license to the license applicant by the Commission would not exceed that limit; and

**WHEREAS**, the New Jersey Cannabis Regulatory Commission issued guidance to the State’s municipalities on December 10, 2021, in which it stated the following:

Municipalities that limit the number of cannabis businesses allowed to operate within the municipal borders should not issue letters or resolutions of support in excess of the number of cannabis businesses allowed to operate within the border unless such letters or resolutions of support specify that license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit is reached.

[Emphasis in original.]

**WHEREAS**, Jersey Meds Management LLC has requested the Township’s support to locate a Class 5 cannabis retail business in the Township; and

**WHEREAS**, Jersey Meds Management LLC submitted a concept plan for the Township’s review; and

**WHEREAS**, representatives of Jersey Meds Management LLC appeared at the May 16, 2022 Township Committee meeting to more formally present the proposal to establish a cannabis retail business in the Township; and

**WHEREAS**, the Township Committee has determined that the cannabis retail license being sought may operate within the Township at the proposed location; and

**WHEREAS**, the proposed location for Jersey Meds Management LLC, which has a common address of 2566 Pennington Road, Pennington, NJ 08534, and is reflected on the Township Tax Map as Block 71, Lot 5, in the C-1 Zone, is a location that is zoned by the municipality for the proposed use, subject to the necessary approvals by the Township Planning Board; and

**WHEREAS**, pursuant to Ordinance No. 22-1770, “the number of cannabis retailers in the Township shall not exceed two (2)”;

**WHEREAS**, as of the date of this Resolution, no other cannabis retailer exists in the Township of Hopewell, no other cannabis retailer has been approved for licensure to be located in the Township of Hopewell; and

**WHEREAS**, the Township has issued resolutions of local support for other Class 5 cannabis retail businesses, and may issue additional resolutions in the future, but asserts that, pursuant to the State’s guidance, the license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit of two is reached.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Hopewell:

1. The Township Committee supports the state licensure application for Jersey Meds Management LLC; and

2. The intended location is appropriately located and is suitable for the activities related to the operations of the proposed cannabis business; and

3. Hopewell Township has authorized cannabis retail to operate within its jurisdiction; and

4. Hopewell Township has imposed a limit on the number of cannabis retailers, and asserts that the license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit of two is reached.

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**RESOLUTION #22-212.** Read by title.

Motion by Purandare, seconded by Chait to adopt Resolution #22-212.

**ROLL CALL VOTE:**

**AYES:** Chait, Kuchinski, Purandare, Ruger, Mayor Peters-Manning

**NOES:** None

## **R E S O L U T I O N #22-212**

### **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HOPEWELL IN SUPPORT OF THE STATE CANNABIS RETAIL APPLICATION OF ICON CANNA LLC**

**WHEREAS**, on April 18, 2022, the Township Committee of the Township of Hopewell adopted Ordinance No. 22-1770, which permits the retail of cannabis as a conditional use in the Township’s commercial zones; and

**WHEREAS**, N.J.A.C. 17:30-5.1(g) states that, by resolution, “A municipality may demonstrate proof of local support for the suitability of a cannabis business’s proposed location by indicating that the intended location is appropriately located or otherwise suitable for the activities related to the operations of the proposed cannabis business;” and

**WHEREAS**, the New Jersey Cannabis Regulatory Commission’s “Notice of Application Acceptance for Personal Use Cannabis Licenses” indicates that:

Applicants for annual cannabis business licenses and conditional conversions shall include proof of local support in their applications, which shall be submitted as:

1. If the municipality has a governing body, a resolution by that governing body that includes:



- a. The license applicant’s legal name under which they are registered to do business in the State of New Jersey;
- b. A determination that the municipality has authorized the type of cannabis business license being sought by the license-applicant to operate within its jurisdiction; and
- c. A confirmation that if the municipality has imposed a limit on the number of licensed cannabis businesses, the issuance of a license to the license applicant by the Commission would not exceed that limit; and

**WHEREAS**, the New Jersey Cannabis Regulatory Commission issued guidance to the State’s municipalities on December 10, 2021, in which it stated the following:

Municipalities that limit the number of cannabis businesses allowed to operate within the municipal borders should not issue letters or resolutions of support in excess of the number of cannabis businesses allowed to operate within the border unless such letters or resolutions of support specify that license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit is reached.

[Emphasis in original.]

**WHEREAS**, Icon Canna LLC has requested the Township’s support to locate a Class 5 cannabis retail business in the Township; and

**WHEREAS**, Icon Canna LLC submitted a concept plan for the Township’s review; and

**WHEREAS**, representatives of Icon Canna LLC appeared at the June 13, 2022 Township Committee meeting to more formally present the proposal to establish a cannabis retail business in the Township; and

**WHEREAS**, the Township Committee has determined that the cannabis retail license being sought may operate within the Township at the proposed location; and

**WHEREAS**, the proposed location for Icon Canna LLC, which is reflected on the Township Tax Map as Block 33, Lot 1.022, is a location that is zoned by the municipality for the proposed use, subject to the necessary approvals by the Township Planning Board; and

**WHEREAS**, Icon Canna LLC has also indicated that if it is unable to obtain control of the proposed location, it will seek another location in the Township where cannabis retail is permitted; and

**WHEREAS**, pursuant to Ordinance No. 22-1770, “the number of cannabis retailers in the Township shall not exceed two (2)”; and

**WHEREAS**, as of the date of this Resolution, no other cannabis retailer exists in the Township of Hopewell, no other cannabis retailer has been approved for licensure to be located in the Township of Hopewell; and

**WHEREAS**, the Township has issued resolutions of local support for other Class 5 cannabis retail businesses, and may issue additional resolutions in the future, but asserts that, pursuant to the State’s guidance, the license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit of two is reached.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Hopewell:

1. The Township Committee supports the state licensure application for Icon Canna LLC; and
2. The intended location is appropriately located and is suitable for the activities related to the operations of the proposed cannabis business; and
3. Hopewell Township has authorized cannabis retail to operate within its jurisdiction; and
4. Hopewell Township has imposed a limit on the number of cannabis retailers, and asserts that the license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit of two is reached.

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**RESOLUTION #22-213.** Read by title.

Motion by Purandare, seconded by Chait to adopt Resolution #22-213.

**ROLL CALL VOTE:**

**AYES:** Chait, Purandare, Ruger, Mayor Peters-Manning

**NOES:** Kuchinski

**RESOLUTION #22-213**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF HOPEWELL IN SUPPORT OF THE STATE  
CANNABIS RETAIL APPLICATION OF FLORO  
HOPEWELL, LLC**

**WHEREAS**, on April 18, 2022, the Township Committee of the Township of Hopewell adopted Ordinance No. 22-1770, which permits the retail of cannabis as a conditional use in the Township's commercial zones; and

**WHEREAS**, N.J.A.C. 17:30-5.1(g) states that, by resolution, "A municipality may demonstrate proof of local support for the suitability of a cannabis business's proposed location by indicating that the intended location is appropriately located or otherwise suitable for the activities related to the operations of the proposed cannabis business;" and

**WHEREAS**, the New Jersey Cannabis Regulatory Commission's "Notice of Application Acceptance for Personal Use Cannabis Licenses" indicates that:

Applicants for annual cannabis business licenses and conditional conversions shall include proof of local support in their applications, which shall be submitted as:

1. If the municipality has a governing body, a resolution by that governing body that includes:

a. The license applicant's legal name under which they are registered to do business in the State of New Jersey;

b. A determination that the municipality has authorized the type of cannabis business license being sought by the license-applicant to operate within its jurisdiction; and

c. A confirmation that if the municipality has imposed a limit on the number of licensed cannabis businesses, the issuance of a license to the license applicant by the Commission would not exceed that limit; and

**WHEREAS**, the New Jersey Cannabis Regulatory Commission issued guidance to the State's municipalities on December 10, 2021, in which it stated the following:

Municipalities that limit the number of cannabis businesses allowed to operate within the municipal borders should not issue letters or resolutions of support in excess of the number of cannabis businesses allowed to operate within the border unless such letters or resolutions of support specify that license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit is reached.

[Emphasis in original.]

**WHEREAS**, Floro Hopewell, LLC has requested the Township's support to locate a Class 5 cannabis retail business in the Township; and

**WHEREAS**, Floro Hopewell, LLC submitted a concept plan for the Township's review; and

**WHEREAS**, representatives of Hopewell Floro, LLC appeared at the June 13, 2022 Township Committee meeting to more formally present the proposal to establish a cannabis retail business in the Township; and

**WHEREAS**, the Township Committee has determined that the cannabis retail license being sought may operate within the Township at the proposed location; and

**WHEREAS**, the proposed location for Floro Hopewell, LLC, which has a common address of 2516 Pennington Road, Pennington, NJ 08534, and is reflected on the Township Tax Map as Block 78, Lot 3, in the Highway Business Office Zone, is a location that is zoned by the municipality for the proposed use, subject to the necessary approvals by the Township Planning Board; and

**WHEREAS**, pursuant to Ordinance No. 22-1770, "the number of cannabis retailers in the Township shall not exceed two (2)"; and

**WHEREAS**, as of the date of this Resolution, no other cannabis retailer exists in the Township of Hopewell, no other cannabis retailer has been approved for licensure to be located in the Township of Hopewell; and

**WHEREAS**, the Township has issued resolutions of local support for other Class 5 cannabis retail businesses, and may issue additional resolutions in the future, but asserts that, pursuant to the State’s guidance, the license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit of two is reached.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Hopewell:

1. The Township Committee supports the state licensure application for Floro Hopewell, LLC; and
2. The intended location is appropriately located and is suitable for the activities related to the operations of the proposed cannabis business; and
3. Hopewell Township has authorized cannabis retail to operate within its jurisdiction; and
4. Hopewell Township has imposed a limit on the number of cannabis retailers, and asserts that the license applicants that receive Commission approval first in time shall be deemed approved by the municipality until the local license limit of two is reached.

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

Mayor Peters-Manning read by title the introduced ordinance:

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL DESIGNATING THE “HART’S CORNER SCHOOLHOUSE” AS A HISTORIC LANDMARK WITHIN THE TOWNSHIP OF HOPEWELL AND AMENDING AND SUPPLEMENTING THE OFFICIAL ZONING MAP AND ORDINANCES OF THE TOWNSHIP OF HOPEWELL

Maximillian Hayden, III, the Chair of the Hopewell Historic Preservation Commission explained that Hart’s Corner Schoolhouse has been vacant for 22 years since it was moved; that it was built in 1906-1907; that there is a benefactor that would like to donate a large sum of money for the restoration of the building; it is the Commission’s hope to find a use for the building; that perhaps it could be a community center, an exhibition space or a visitor’s center; that it was sold to the Township for \$1 from the Board of Education in 1938; that it was last used as a schoolhouse in 1936; that it was used as a municipal court and the public works department; it is a 1-room school house made of brick; and introduced Bonita Grant who is also on the Historic Preservation Commission.

Mayor Peters-Manning declared public hearing open. No comments from the public. Motion by Chait, seconded by Purandare to close public hearing.

**MOTION UNANIMOUSLY CARRIED**

Motion by Chait, seconded by Purandare to adopt the introduced ordinance.

**ROLL CALL VOTE:**

**AYES:** Chait, Kuchinski, Purandare, Ruger, Mayor Peters-Manning

**NOES:** None

**ORDINANCE ADOPTED**

Ordinance advertised May 6, 2022, Hopewell Valley News. Posted municipal bulletin board as required by law.

**ORDINANCE NO. 22-1774**

**AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL DESIGNATING THE “HART’S CORNER SCHOOLHOUSE” AS A HISTORIC LANDMARK WITHIN THE TOWNSHIP OF HOPEWELL AND AMENDING AND SUPPLEMENTING THE OFFICIAL ZONING MAP AND ORDINANCES OF THE TOWNSHIP OF HOPEWELL**

**WHEREAS**, the Township of Hopewell has established a Register of Historic Landmarks pursuant to Ordinance No. 00-1142, in order to preserve and regulate Historic Districts and Historic Landmarks within the Township of Hopewell; and

**WHEREAS**, the Historic Preservation Commission of Hopewell Township published legal notice for its hearing of March 15, 2022 at which time the “Hart’s Corner Schoolhouse” was found to have historic significance under the terms of Ordinance 00-1142; and

**WHEREAS**, the “Hart’s Corner Schoolhouse”, located at 201 Washington Crossing-Pennington Road (Block 92, Lot 6 on the Hopewell Township Tax Map), is a prominent historic building integral to the Hopewell Township rural landscape; and

**WHEREAS**, the “Hart’s Corner Schoolhouse” is a one room brick schoolhouse built in 1906, and the only remaining schoolhouse of 14 former local school districts, symbolizing Hopewell Township’s rich history of local rural schools; and

**WHEREAS**, the “Hart’s Corner Schoolhouse” was used as a schoolhouse until 1936, then later used as Hopewell Township’s Town Hall and offices for Hopewell Township municipal officials. The Schoolhouse has a stone foundation and a hipped roof. As part of the 1960s renovations, several partition walls were installed for private offices of municipal employees. Throughout the Schoolhouse’s history, local residents have joined together and repaired the building to maintain its historical integrity; and

**WHEREAS**, Hopewell Township residents petitioned the School Board to buy the land and build the Schoolhouse in 1906. When built, the Schoolhouse was located amongst a village of houses, known as Hart’s Corner. Across the street from the Schoolhouse is the original Hart Farmhouse, also known as the Hart-Hoch House. Hopewell Township bought the Schoolhouse from the School Board in 1938 for \$1. After relocating the Schoolhouse several yards back from Scotch Road, it now safely sits on Hopewell Township property as a historical beacon for all those who travel the area or visit the Municipal Complex.

**WHEREAS**, the Township Committee of the Township of Hopewell therefore believes that the “Hart’s Corner Schoolhouse” is of historic significance and should be designated as an historic landmark within the Township of Hopewell pursuant to and in accordance with Ordinance No. 00-1142.

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

1. That the “Hart’s Corner Schoolhouse” as referenced above, shall be designated as an Historic Landmark within the Township of Hopewell, pursuant to and in accordance with Ordinance No. 00-1142.

2. That the Official Zoning Map and Ordinances of the Township of Hopewell shall be amended and supplemented accordingly, in order to reflect this historic designation.

3. That the provisions of this Ordinance shall be severable. 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 the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

5. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

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

Mayor Peters-Manning read by title the introduced ordinance:

ORDINANCE OF THE TOWNSHIP OF HOPEWELL AMENDING  
CHAPTER 17, ARTICLE VI (DESIGN STANDARDS) OF THE CODE OF  
THE TOWNSHIP OF HOPEWELL

Mayor Peters-Manning declared public hearing open.

**Jon Edwards** questioned if the modifications would apply to all future developments.

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

**MOTION UNANIMOUSLY CARRIED**

Motion by Chait, seconded by Purandare to adopt the introduced ordinance.

**ROLL CALL VOTE:**

**AYES:** Chait, Kuchinski, Purandare, Ruger, Mayor Peters-Manning

**NOES:** None

**ORDINANCE ADOPTED**

Ordinance advertised May 20, 2022, Hopewell Valley News. Posted municipal bulletin board as

required by law.

**ORDINANCE NO. 22-1775**

**ORDINANCE OF THE TOWNSHIP OF HOPEWELL AMENDING CHAPTER 17,  
ARTICLE VI (DESIGN STANDARDS) OF THE CODE  
OF THE TOWNSHIP OF HOPEWELL**

**WHEREAS**, the Township of Hopewell (“Hopewell”) recognizes the importance of proper stormwater management to maintain the integrity of the waters of the State of New Jersey; and

**WHEREAS**, Hopewell recognizes that regulating and mitigating stormwater impacts from development within the municipality advances public health, safety and welfare and benefits the entire community; and

**WHEREAS**, on March 2, 2020, the New Jersey Department of Environmental Protection (“NJDEP”) adopted new Stormwater Management Rules, N.J.A.C. 7:8 that now require major developments to incorporate nonstructural stormwater management strategies to the “maximum extent practicable” to meet groundwater recharge standards and stormwater runoff quality standards, with a requirement that green infrastructure be utilized to meet the required standards; and

**WHEREAS**, the NJDEP adopted an updated Best Management Practices (“BMPs”) Manual to guide the design, construction and maintenance of stormwater management strategies and green infrastructure measures; and

**WHEREAS**, the new rules require local municipalities to revise their existing stormwater management ordinances to meet the new NJDEP standards and requirements; and

**WHEREAS**, the new rules establish the minimum standards and requirements that local municipalities must incorporate into their local ordinances; and

**WHEREAS**, the Hopewell has, in consultation with its staff and professionals, the Hopewell Township Environmental Commission, and local conservation groups, created new local stormwater management requirements that are fair, practical and in the best interests of the public.

**WHEREAS**, municipal Stormwater Control Ordinances are required to be reviewed by County agencies to ensure conformance with NJDEP minimum standards; and

**WHEREAS**, Mercer County Department of Planning has reviewed and submitted minor revisions to the Township of Hopewell’s municipal ordinance.

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED** by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that Section 17-82, entitled Drainage, Detention, and Stormwater Management, contained within Article VI of the Design Standards in Chapter 17 (Land Use and Development) of the Code of the Township of Hopewell hereby be repealed and replaced with the revised ordinance section as follows:

**SECTION I.**

Repeal and replace Section 17-82 (Drainage, Detention and Stormwater Management) with the following Section:

17-82 Stormwater Control  
17-82.1 – Scope and Purpose.

- a. Policy Statement: Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact or nonstructural techniques should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and low impact techniques should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.
- b. Purpose: The purpose of this section is to establish minimum stormwater management requirements and controls for both “major and minor development”, as defined herein, and to reduce the amount of non-point source pollution entering ~~surface groundwater~~ [surface water and/or groundwater.] These requirements proactively guide new development to minimize harmful impacts to natural resources to:
  - 1. Reduce flood damage, protecting public health, life and property;
  - 2. Minimize increased stormwater runoff rates and volumes;

3. Minimize the deterioration of existing structures that would result from increased rates of stormwater runoff;
  4. Increase water recharge into the ground wherever suitable infiltration, soil permeability, and favorable geological conditions exist;
  5. Prevent an increase in non-point source pollution;
  6. Maintain the integrity and stability of stream channels and buffers for their ecological functions, as well as for drainage, and the conveyance of floodwaters;
  7. Control and minimize soil erosion and the transport of sediment;
  8. Minimize public safety hazards at any stormwater detention facility constructed pursuant to a subdivision or site plan approval;
  9. Maintain adequate base-flow and natural flow regimes in all streams and other surface water bodies to protect the aquatic ecosystem;
  10. Protect all surface water resources from degradation; and
  11. Protect groundwater resources from degradation and diminution.
- c. All development projects, as defined herein, shall meet the requirements of this section for the minimum requirements and controls to manage stormwater.
- d. Applicability: Stormwater Control Standards established within this subsection shall be applicable to the following developments meeting the criteria defined under “major development” as specified herein:
1. Non-residential (commercial) developments; and
  2. Aspects of residential developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
  3. All projects undertaken by Hopewell Township, meeting the definition contained herein for a major development, and do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.
  4. Any development that does not require municipal subdivision or site plan approval but meets the definition contained herein for a major development.
- e. Compatibility with Other Permit and Ordinance Requirements: Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This chapter shall be construed to assure consistency with the requirements of New Jersey laws and acts amendatory thereof or supplementary thereto, applicable implementing regulations, and any existing or future municipal NJPDES permits and any amendments or revisions thereto or reissuance thereof. This chapter is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this chapter imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

#### 17-82.2 Exemptions

- a. The following linear development projects are exempt from the Groundwater Recharge, Stormwater Runoff Quantity, and Stormwater Runoff Quality requirements of this Subsection:
1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
  2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
  3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

#### 17-82.3 Definitions

- a. The definitions of the words or terms specified in the Stormwater Management Rules at N.J.A.C. 7:8-1.2 shall apply except as defined herein.
1. Major Development - shall mean an individual “development” as well as multiple developments that individually or collectively result in:
    - (a) The disturbance of one or more acres of land since February 2, 2004;
    - (b) The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
    - (c) The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021; or

- (d) A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of conditions 1 (a) through (d) above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development”

2. Minor Development – shall mean all development that does not meet the definition of a Major Development and meets one or more of the following criteria:
  - (a) Any development that requires a “C” variance pursuant to N.J.S.A.:55D-70c to exceed the maximum lot coverage permitted within the applicable Zoning District.
  - (b) Any development that requires a “D” variance pursuant to N.J.S.A. 40:55D-70d to exceed the maximum lot coverage permitted within the applicable Zoning District.
  - (c) Any development that results in an increase in “Regulated Motor Vehicle Surface” of greater than 250 square feet for residential development or 1,000 square feet for commercial development.
  - (d) Increases in Regulated Motor Vehicle Surface in excess of the limits established under item (c) above shall be applicable to all development, including those that are compliant with the total lot coverage permitted within the applicable Zoning District.
3. Regulated Motor Vehicle Surface – shall mean any of the following, alone or in combination:
  - (a) A new increase in “motor vehicle surface”, as defined under N.J.A.C. 7:8 et seq.; and/or
  - (b) The total area of existing motor vehicle surface or other impervious surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure.
  - (c) Any conversion of Motor Vehicle Surface from a pervious or semi-pervious surface, such as gravel, to an impervious surface, such as asphalt, concrete or pavers.
4. Stormwater Management BMP – shall mean all ~~green infrastructure~~ BMPs approved by the NJDEP, outlined in the BMP Manual., ~~or other stormwater management measure, device or facility approved by the Township Engineer.~~
5. [Green Infrastructure – A stormwater management measure that manages stormwater close to its source by:
  - (a) Treating stormwater runoff through infiltration into subsoil;
  - (b) Treating stormwater runoff through filtration
  - (c) Storing stormwater runoff for reuse.]

#### 17-82.4 General Design and Performance Standards

- a. Stormwater management measures for major development shall be developed to meet:
  1. Erosion Control Standards;
  2. Groundwater Recharge Standards;
  3. Stormwater Runoff Quantity Standards; and
  4. Stormwater Runoff Quality Standards.
- b. To the maximum extent practicable, these general design and performance standards for major development shall be met by incorporating nonstructural and green infrastructure stormwater management strategies into the design. If these strategies alone are not sufficient to meet these standards, [a waiver or variance may be requested to use] structural stormwater management measures necessary to meet these standards ~~shall be incorporated into the design.~~
- c. [If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with N.J.A.C. 7:8-5.2 is granted from the requirements of this subsection, then BMPs from N.J.A.C. 7:8 Table 5-1, 5-2 and 5-3, and/or an alternative stormwater management measure approved in accordance with 17-82.4(d.) may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity of these standards.
- d. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer

demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the NJDEP, Division of Water Quality, Mail Code 401-02B, PO Box 420, Trenton, NJ 08625-0420. Alternative stormwater management measures may be used to satisfy the requirements only if the measures meet the definition of green infrastructure. Alternative stormwater management measures that function in a similar manner to a BMP listed at 17-82.4(d.) are subject to the contributory drainage area limitation specified at N.J.A.C. 7:8-5.3(b) for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at N.J.A.C. 7:8-53(b) shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section N.J.A.C. 7:8-5.2(e) is granted from N.J.A.C. 7:8-5.3(b)

- e. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.]

#### 17-82.5 Minor Development Design Standards

- a. All construction meeting the definition of “Minor Development” shall comply with the requirements specified herein.
- b. All construction meeting the definition of “Minor Development” shall be required to provide groundwater recharge within the same property as the proposed construction.
- c. Soil erosion and sediment control measures shall be installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.
- d. The minimum volume of stormwater required to be recharged shall be calculated as three (3) inches per each square foot of surface area calculated as follows:
  - 1. For all development that complies with the total lot coverage for the applicable Zoning District but exceeds the limits for Regulated Motor Vehicle Surface, the recharge requirements shall be applied to the surface area in excess of the limits established for Minor Development (i.e., >250 SF for residential development, and >1,000 SF for commercial development).
  - 2. For all development that requires a variance for total lot coverage, pursuant to N.J.S.A. 40:55D-70c or d, the recharge requirements shall be applied to a surface area equal to 120% (1.2 times) the area in excess of the maximum total lot coverage permitted by the applicable Zoning District.
- e. The stormwater recharge requirements shall be met using any one or combination of methods permitted in the Best Management Practices Manual for Green Infrastructure BMPs.
- f. Any alternate methods for achieving the stormwater recharge requirements, not contained within the Best Management Practices Manual, shall be required to provide a detailed design, prepared by a New Jersey State Licensed Professional Engineer.

#### 17-82.6 Major Development Design Standards

- a. All construction meeting the definition of “Major Development” shall comply with the requirements specified herein.



- b. All construction meeting the definition of “Major Development” shall be required to include stormwater management measures designed in accordance with the Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21), and the NJDEP Stormwater Rule (N.J.A.C. 7:8).
- c. Stormwater management measures utilized on major development shall comply with the requirements of N.J.A.C. 7:8 [subchapters 5 and 6.]
- d. The standards included herein by reference shall apply to all residential and nonresidential projects; township projects; Board of Education projects; and other public agency projects meeting the definition of major development and subject to review by the township.

#### 17-82.7 Sources for Technical Guidance

- a. Technical guidance for stormwater management measures can be found in the documents listed below, which are available from Maps and Publications, New Jersey Department of Environmental Protection, 428 East State Street, P.O. Box 420, Trenton, New Jersey, 08625; (609) 777-1038 and available to download from the Department’s website at: [http://www.nj.gov/dep/stormwater/bmp\\_manual2.htm](http://www.nj.gov/dep/stormwater/bmp_manual2.htm)
  - ~~1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, bio-retention systems, constructed stormwater wetlands, dry wells, extended detention basins, infiltration structures, manufactured treatment devices, pervious paving, sand filters, vegetative filter strips, and wet ponds. [Information is provided on stormwater management measures such as, but not limited to, those listed in Table 5-1, Table 5-2 and Table 5-3. ]~~
  - ~~2. The New Jersey Department of Environmental Protection Stormwater Management Facilities Maintenance Manual, as amended.~~
- ~~b. Additional technical guidance for stormwater management measures can be obtained from the following:
 
  - ~~1. The "Standards for Soil Erosion and Sediment Control in New Jersey" promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the Soil Conservation Districts listed in N.J.A.C. 2:90 1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey, 08625; (609) 292-5540.~~
  - ~~2. The Rutgers Cooperative Extension Service, (732) 932-9306; and~~
  - ~~3. The Mercer County Soil Conservation District listed in N.J.A.C. 2:90 1.3(a)4 as follows: 508 Hughes Drive, Hamilton Square, NJ 08690 (609) 586-9603. The location, address, and telephone number of each Soil Conservation District may also be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey, 08625, (609) 292-5540.~~~~
- b. Additional maintenance guidance is available at the NJDEP website at:

[https://www.njstormwater.org/maintenance\\_guidance.htm](https://www.njstormwater.org/maintenance_guidance.htm)

#### 17-82.8 Maintenance and Repair of Stormwater Management Measures

- a. All Major Development projects requiring stormwater management shall comply with the requirements of this section.
- b. The design engineer shall prepare an operation, maintenance and repair plan (often referred to as Operations and Maintenance Manual or O&M Manual) for the stormwater management measures/facilities incorporated into the design of a development project. The Operation, Maintenance and Repair Plan (Maintenance Plan) shall contain all of the following:
  - 1. Specific maintenance tasks, maintenance schedules for each stormwater facility, inspection guidance, repairs and replacement of components, required permits, erosion control, vegetation management, as well as any tasks specific to the type of BMP needed to maintain the functional parameters of the facility as contained in the BMP Manual; and
  - 2. Cost estimates, including estimated costs of routine inspections, maintenance (e.g., sediment, debris, trash removal), costs to repair structures, costs to replace structures, estimated life span of various cost planning, labor, equipment, materials, and other information related to perpetual upkeep of the stormwater facility; and

3. The name, address, and telephone number, and any other relevant contact information of the persons responsible for preventative and corrective maintenance (including replacement) and any persons to which the stormwater facilities will be dedicated. If the responsible maintenance party is different than the owner, the owner's information shall be indicated as well; and
  4. Facility location, including block and lot numbers, and (NJ State Plane) coordinates; and
  5. Accurate and comprehensive as-built drawings of the site's stormwater management measures and applicable details; and
  6. Copies of the inspection log forms and maintenance reporting sheets.
- c. If the party responsible for maintenance is not Hopewell Township or another public agency, the stormwater management facilities/measures shall be considered "private facilities".
- d. For all private facilities, the Maintenance Plan, and any future revisions of the Maintenance Plan, shall be recorded upon the deed of record for each property on which the maintenance described in the Maintenance Plan must be undertaken following approval by the Township Engineer and Township Attorney.
- e. The party responsible for maintenance of all private facilities, regardless whether the stormwater facility existed before or is created after the adoption of this ordinance, shall perform the following requirements:
1. Maintain a detailed log of all preventative and corrective maintenance for the stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work; and
  2. Evaluate the effectiveness of the Maintenance Plan at least once per year and adjust the plan and deed as needed; and
  3. Document the changes to the Maintenance and Plan and deed and provide copies to the Township Engineer; and
  4. Submit Inspection and Maintenance Logs to the Hopewell Township Engineer's Office annually by March 1<sup>st</sup> of the following calendar year for any stormwater measure or BMP in accordance with the NJ Pollution Discharge Elimination System requirements of N.J.A.C. 7:14A.
- f. In the event that a privately-owned stormwater management facility becomes a danger to public safety or public health, is in need of maintenance and repair, and/or is not functioning properly in the opinion of the Township Engineer, the Township Engineer shall so notify the responsible party in writing. Upon receipt of notice from the Township Engineer, the responsible party shall have fourteen (14) calendar days to effectuate maintenance and repair of the facility in a manner that is approved by the Township Engineer. In the case of an emergency where repairs and/or corrective action must take place sooner, the Township Engineer may specify a shorter time frame to correct the eminent safety concern. The Township Engineer may also extend the time allowed for effecting maintenance and repair for good cause.
1. If the responsible party fails or refuses to perform such maintenance and repair, Hopewell Township may immediately proceed to complete the required emergency repairs with its own forces and equipment, and/or through contracted companies. The Township Engineer will decide the appropriate measure for corrective action up to, and including, placing the stormwater facility back to its as-designed and/or as-built accepted condition.
  2. The costs and expenses of such maintenance and repair by Hopewell Township shall be billed to the responsible person or owner. Nonpayment by the responsible party or owner may result in placement of a lien on the property.
  3. If the stormwater facility continues to malfunction, the responsible party will be notified in writing and will be given a reasonable timeframe in which to submit a plan to bring the stormwater facility into compliance with the originally accepted design. If the original design is not available or determined to be appropriate to address the failing condition, the responsible party shall provide an alternate design, prepared by a NJ State Licensed Professional Engineer, to meet current standards. The costs for the design and construction of the corrective measures shall be borne by the owner or responsible party.
- g. Stormwater management facilities cannot be removed or modified without the approval of the Township Engineer, and if applicable, the appropriate Land Use Board of the Township of Hopewell having jurisdiction over the development.
- h. Nothing in this subsection of the ordinance shall preclude Hopewell Township from requiring the posting of guarantees in accordance with N.J.S.A. 40:55D-53.

### 17-82.9 Safety Standards for Stormwater Management Basins

- a. Stormwater Management Basins shall comply with the minimum requirements set forth herein for proper design and operation to protect public safety.
- b. All newly constructed stormwater management basins shall comply with the requirements of N.J.A.C. 7:8-6.2 [and N.J.A.C. 7:8-6 Appendix A].
- c. Any existing stormwater management basin modified or altered as part of a major development shall include retrofitting of the following components of the basin to meet the following criteria:
  1. The trash rack shall be replaced if it cannot be demonstrated that the existing device does not adversely affect the hydraulic performance of the outlet pipe or structure.
  2. Any existing overflow grates on the outlet structure shall be modified as necessary to meet the following criteria:
    - (a) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
    - (b) The overflow grate spacing shall be no greater than two inches across the smallest dimension; and
    - (c) The overflow grate shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live load of 300 lbs./sq. foot.
  3. Any existing outlet structure within the basin shall be modified or reconstructed as required to include escape provisions in or on the structure. Escape provisions can include the installation of permanent ladders, steps, rungs, or other features that provide an easily accessible means of egress from the stormwater management basin.
- d. For the purpose of this section, modification or alteration of an existing stormwater management basin shall include:
  1. Any change to grading or shaping of the basin that would result in a change to the storage capacity of the basin.
  2. Any change to the stormwater collection systems or contributing drainage areas for the basin that result in an increase in the volume of stormwater discharged to the basin.

### 17-82.10 ~~Ownership of Stormwater Management Facilities~~ [Requirements for a Site Development Stormwater Plan

- a. Submission of Site Development Stormwater Plan
  1. Whenever an application seeks approval of a development subject to this ordinance, the applicant shall submit all of the required components contained in Section 17-82.10c of this ordinance.
  2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
  3. The applicant shall submit one (1) hard paper copy and one (1) electronic copy in PDF format on CD/DVD or USB flash drive of the materials listed in Section 17-82.10c of this ordinance.
- b. Site Development Stormwater Plan Approval
  1. The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the Township Engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.
- c. Submission of Site Development Stormwater Plan
 

The following information shall be required:

  - a. Topographic Base Map
    - i. The Township Engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum 0 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing a minimum 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other

wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

- b. Environmental Site Analysis
  - i. A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.
- c. Project Description and Site Plans
  - i. A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.
- d. Land Use Planning and Source Control Plan
  - i. This plan shall provide a demonstration of how the goals and standards of Sections 17-82.4 through 17-82.6 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.
- e. Stormwater Management Facilities Map
  - i. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:
- f. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- g. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
- h. Calculations
  - i. Comprehensive hydrologic and hydraulic design calculations for the pre- development and post-development conditions for the design storms specified in Section 17-82.6 of this ordinance. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

d. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 17-82.8.

e. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's Township Engineer, waive submission of any of the requirements in Section 17-82.10(c) of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.]

- a. For stormwater facilities not dedicated to or not accepted by Hopewell Township:
  1. If the Maintenance Plan identifies a party other than the property owner as having the responsibility for maintenance, the plan shall include documentation of such party's or entity's agreement to assume maintenance of this responsibility, or the owner's obligation to dedicate a stormwater management facility to such party. Evidence of the dedication shall be provided to the Township Engineer.
  2. Responsibility for the maintenance of community stormwater management facilities shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project.
  3. Responsibility for the maintenance of individual stormwater management facilities may be assigned or transferred to the owner or tenant of an individual property/lot in a residential development if all of the following conditions are met:
    - (a) The individual stormwater facilities are situated and fully contained on the residential lot; and
    - (b) The stormwater facilities are only designed to handle runoff from a structure or improvement on the residential lot where the facility is located or will be constructed; and
    - (c) The facilities do not control runoff from a public street; and
    - (d) The maintenance of the individual stormwater management facilities on residential lots are to remain as the lot owners' responsibility. Ownership or maintenance may not be transferred to Hopewell Township.
    - (e) The area of the stormwater facility shall be recorded on the deed in metes and bounds. The maintenance obligation shall be recorded as a deed restriction.
    - (f) No such facility shall be modified or eliminated following issuance of the initial certificate of occupancy unless the Township of Hopewell permits such modification or elimination through formal action by the Township Committee or Township land use board having jurisdiction over the matter.
    - (g) Any existing community stormwater management facility where maintenance or ownership was transferred to an individual residential property owner or required by agreement in accordance with the rules permitted at that time shall remain the responsibility of the owner.
- b. Stormwater management facilities for nonresidential (commercial) developments. Whenever a stormwater management facility is required for a nonresidential development, the stormwater management facility shall be a part of an individual lot owned and maintained by the property owner, or in the case of a business park or other similar complex, part of the common open space owned by a business association. Provisions for long term maintenance of the facility shall be established. No responsibility, maintenance or otherwise, shall be transferred to Hopewell Township.
- c. Stormwater management facilities for multi-family (e.g. apartments or townhouses) developments. Whenever a stormwater management facility is required for a development approval for a multi-family building, the stormwater management facility shall be a part of the individual lot owned and maintained by the property owner of the development consisting of rental units or a part of the common open space owned by a homeowners' association of a development of for-sale units, and provisions for long term maintenance of the stormwater facility shall be established. No responsibility, maintenance or otherwise, shall be transferred to Hopewell Township.
- d. Stormwater management facilities for conventional, non-clustered development of single-family detached dwellings. Whenever a stormwater management facility is required in connection with a development approval for any conventional, non-clustered development of single-family detached dwellings, the stormwater facility shall be owned and maintained by a homeowners' association.]

#### **17-82.14[2] Deed Records and Dedications**

- a. Any stormwater management measure authorized under the municipal stormwater management plan or this Chapter and any revisions thereof shall be reflected in a deed notice recorded in the Mercer County Clerk's office. A form of deed notice shall be submitted to the Township Engineer and Township Attorney for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the Green Infrastructure, Groundwater Recharge, Stormwater Runoff Quality, and Stormwater Runoff Quantity Standards and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also include the

Maintenance Plan also required to be recorded upon the deed. Furthermore, access easements shall be provided to Hopewell Township to provide the Township the right, but not obligation, to access the facility. Prior to signing the site plan, subdivision plan, or approving a permit, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of a complete electronic or original recorded copy of the document.

- b. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the Township Engineer, if the Township Engineer determines that the proposed alteration or replacement meets the design and performance standards pursuant to this subsection and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the Township Attorney and Township Engineer for review and approval, and subsequently recorded with the Mercer County Clerk's office. The instrument shall contain a description and location of the stormwater management measure, as well as include the maintenance plan, as noted above. Prior to signing the site plan, subdivision plan, or approving a permit, proof that the required information has been recorded on the deed in the form of a complete electronic or original recorded copy of the document shall be provided.
- c. The approving board may require dedication of easements or deed restrictions along drainage ways, natural water courses, stream corridors, steep slopes and other unique botanical, historical, geological and paleontological areas located therein or adjacent to a proposed development. The easement or deed restriction shall be indicated on the plan and shall be marked on the land by concrete monuments at angle points and or property corners at sufficient locations to enable the dedicated area to be surveyed. In such cases, the approving Board shall consult with the Township Planner and Township Engineer in determining the required shape and size of the easement. The easement or deed restriction shall be in a form approved by the Township Attorney and shall include provisions assuring the following:
  1. Preservation of the channel and flood plain of the watercourse, including the right to clean, de-s snag and all such work necessary to maintain the shape, slope and water flow of the watercourse.
  2. Prohibition of any removal of trees and other cleaning and grading not directly related to the preservation of the channel of a watercourse.
  3. Grant of a right to the Township to install and maintain any drainage facilities necessary for the health and safety of the public, if applicable.
  4. Right-of-entry to the Township to install and maintain any drainage facilities therein, if applicable.

**17-82.12[3] Design of Runoff Collection System.**

- a. The design of the stormwater runoff collection system for all residential and commercial construction shall conform to N.J.A.C. 5:21-7.3 except as follows:
  1. Minimum pipe size in the surface water drainage system shall be 15 inches in diameter.
  2. High density polyethylene pipe (HDPE) shall not be used in rights-of- way to be dedicated to Hopewell Township, for driveway culverts, or in locations that do not have adequate cover.
  3. Inlet or manhole spacing shall not exceed 400 feet unless otherwise approved by the Township Engineer.
  4. Drainage inlets shall be located on both sides of street at all intersections. Surface runoff in streets shall not exceed six cubic feet per second at the drainage inlet and surface runoff in parking, loading, and walkway areas shall not exceed three cubic feet per second. Access manholes shall be placed at maximum 500 foot intervals throughout the system and at pipe junctions where there are no drainage inlets. Inlets shall be placed at intervals not exceeding 400 feet.
  5. Storm drain pipes shall be constructed longitudinally along streets and shall cross streets perpendicular to the centerline thereof. Pipe shall be located under or behind the curb line with the installation of inlet or manhole structures. Curvilinear alignments, i.e. curved pipe, pipe bends, or tees, wyes, etc. shall not be permitted.
  6. Storm drain pipes shall be the size specified and laid to the exact lines and grades approved by the township engineer. Specifications for construction of manholes, inlets, and storm drains shall conform with the New Jersey Department of

Transportation 2019 N.J.D.O.T. Standard Specifications for Road and Bridge Construction, as amended or supplemented.

- 7. Land designated as a flood hazard area shall not be designed for any occupancy nor for any other purpose which may endanger life or property or aggravate the flood hazard. Such land may be considered for yard areas, or other similar uses and shall be preserved by a conservation easement.
- 8. Any underground drainage conveyance system outside a street or other public right-of-way shall be accompanied by a 15 foot wide (minimum) drainage easement dedicated to the township and conforming with the lines of such system. Sufficient width shall be provided so as to accommodate maintenance vehicle access.
- 9. Stream corridors shall be preserved by a conservation easement. Stream corridors extend [from 50 feet up to 300', depending on classification of the stream,] from each bank of permanently flowing streams as these streams are shown on Soil Conservation Service (SCS) maps. If the natural floodplain is greater, the corridor shall extend to the limits of the floodplain. Stream corridors shall also be extended to include contiguous wetlands and slopes over 12 percent where the toe of the slope is within 20 feet of the wet soils. Within the stream corridor and 20 feet of its edge, natural coverage shall be maintained, no alteration of the natural terrain shall occur, and no structures or impervious surfaces shall be constructed. All roads and utilities, including septic systems, shall be at least 100 feet from stream corridors.
  - (a) Stream corridors as defined in Section 17-181 shall be preserved by a conservation easement, which shall specify the prohibited uses and contain the customary provisions for a conservation easement as required by the township committee.
- 10. In such cases in which an easement extends into a lot for a distance wider than that which is restricted against building by the required yard space regulations of this chapter, the planning board may require the lot to be enlarged to the degree necessary to provide additional building area.
- 11. Manhole frames and covers shall be of American-made cast iron conforming to ASTM Specification A-48 Class 30 and be suitable for H-20 loading capacity. All manhole covers in remote areas or areas subject to flooding shall require a locking device. "HOPEWELL TOWNSHIP STORM SEWER" shall be cast integrally in the cover.
- 12. All discharge pipes shall terminate with a precast or cast-in-place concrete headwall with or without wingwalls as conditions require. In normal circumstances, a cast-in-place concrete headwall is preferred. Use of other types shall be justified by the designer and approved by the Township Engineer.

**17-82.13[4] Violations and Penalties.**

- a. Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this Subsection shall be subject to penalties stipulated in Subsection §3-1.

**SECTION II. SEVERABILITY**

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

**SECTION III. INCONSISTENT ORDINANCES REPEALED.**

All Ordinances or parts of Ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed, but only to the extent of such inconsistencies.

**SECTION IV. EFFECTIVE DATE.**

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law and the filing of same with the Mercer County Planning Board pursuant to N.J.S.A. 40:55d- 16.

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**ORDINANCE – INTRODUCTION AND FIRST READING**

Mayor Peters-Manning read by title the ordinance for introduction.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII OF THE CODE OF THE TOWNSHIP OF HOPEWELL ENTITLED “TRAFFIC” AND CHAPTER X OF THE CODE OF THE TOWNSHIP OF HOPEWELL ENTITLED “FEES AND PERMITS” TO ESTABLISH REGULATIONS FOR PUBLIC PARKING SPACES FOR ELECTRIC VEHICLES

Motion by Purandare, seconded by Chait to introduce the ordinance on first reading.

**ROLL CALL VOTE:**

**AYES:** Chait, Kuchinski, Purandare, Ruger, Mayor Peters-Manning

**NOES:** None

**ORDINANCE INTRODUCED**

Second reading, public hearing date June 27, 2022 at 6:30 p.m.

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**ORDINANCE – INTRODUCTION AND FIRST READING**

Mayor Peters-Manning read by title the ordinance for introduction.

ORDINANCE RE-APPROPRIATING \$10,000.00 OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR A DEMOGRAPHIC STUDY IN PARTNERSHIP WITH HOPEWELL VALLEY REGIONAL SCHOOL DISTRICT IN AND BY THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY

Motion by Chait, seconded by Purandare to introduce the ordinance on first reading.

**ROLL CALL VOTE:**

**AYES:** Chait, Kuchinski, Purandare, Ruger, Mayor Peters-Manning

**NOES:** None

**ORDINANCE INTRODUCED**

Second reading, public hearing date July 11, 2022 at 6:30 p.m.

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**ORDINANCE – INTRODUCTION AND FIRST READING**

Mayor Peters-Manning read by title the ordinance for introduction.

AN ORDINANCE ESTABLISHING A COMPREHENSIVE SALARY AND WAGE PLAN FOR THE TOWNSHIP OF HOPEWELL, MERCER COUNTY, NEW JERSEY, AND TO PROVIDE FOR ITS ADMINISTRATION IN 2022

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

**ROLL CALL VOTE:**

**AYES:** Chait, Kuchinski, Purandare, Ruger, Mayor Peters-Manning

**NOES:** None

**ORDINANCE INTRODUCED**

Second reading, public hearing date June 27, 2022 at 6:30 p.m.

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**CONSENT AGENDA ITEMS**

**RESOLUTIONS #22-214 THROUGH #22-226,** Read by title.

Motion by Chait, seconded by Kuchinski to adopt Resolution #22-214 through #22-226.

**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #22-214**

**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 13<sup>th</sup> day of June 2022 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:

Mike Smith	406 Washington Crossing Penn Rd	Titusville 08560	\$ 50.00
Jill Young	36 Abey Drive	Pennington 08534	\$190.00
Jamie Ensley	198 Penn View Drive	Pennington 08534	\$ 50.00
Kerry Kocses	3 Heath Court	Pennington 08534	\$315.00
Jill Mudge	164 Coburn Road	Pennington 08534	\$185.00

**R E S O L U T I O N #22-215**

**RESOLUTION OF THE TOWNSHIP OF HOPEWELL  
ACCEPTING A TEMPORARY DONATION**

**WHEREAS**, the Township of Hopewell is in need of a Container on Wheels for the Recreation Summer Camp Program; and

**WHEREAS**, COW's of Mercer Bucks located at 1536 Lower Ferry Road, Ewing, NJ 08618 has graciously offered to donate a Container on Wheels (COWS) for such purpose valued at \$525.00 for the period of June 27<sup>th</sup> through August 15<sup>th</sup>, 2022.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey hereby accepts the donation of a Container on Wheels for the Hopewell Township Recreation Summer Camp program for the period of June 27<sup>th</sup> through August 15<sup>th</sup>, 2022.

**R E S O L U T I O N #22-216**

**A RESOLUTION AUTHORIZING ADDITIONAL  
PART-TIME SEASONAL WORKERS FOR THE  
HOPEWELL TOWNSHIP RECREATION DEPARTMENT**

**WHEREAS**, there is a need for part-time workers to manage, supervise, and lead a variety of programs sponsored by the Hopewell Township Recreation Department; and

**WHEREAS**, after reviewing their experience and qualifications, the following individuals were selected and are recommended by the Hopewell Township Recreation Director for appointment.

**NOW, THEREFORE, BE IT RESOLVED**, on this 13<sup>th</sup> day of June 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that part-time workers are hereby appointed effective June 20, 2022 through September 6, 2022 as follows:

NAME	TITLE	PROGRAM	SALARY
Elizabeth Levering	Rec. Leader-Guest Artist	Art in the Park	\$ 133.00 per day
Sarah Luedeke	Recreation Aide	Art in the Park	\$ 13.00 per hour
James Riese	Recreation Supervisor	Teen Travel	\$ 295.00 per day
Lisa Rich	Recreation Supervisor	Teen Travel	\$ 260.00 per day
Christopher DelVechhio	Recreation Aide	Baseball Camp	\$ 13.00 per hour
Dylan Eng	Recreation Aide	Baseball Camp	\$ 13.00 per hour
Alexander Helmric	Recreation Aide	Baseball Camp	\$ 13.00 per hour
Timothy McKeown	Recreation Aide	Baseball Camp	\$ 13.00 per hour
Tyler Ottobre	Recreation Aide	Baseball Camp	\$ 13.00 per hour
Christopher Tobia	Recreation Aide	Baseball Camp	\$ 13.00 per hour

Pay scale as set by Township Ordinance:

- Recreation Aide: \$13.00 per hour to \$15.00 per hour
- Recreation Leader: \$15.00 per hour to \$35.00 per hour
- Recreation Supervisor \$35.00 per hour to \$50.00 per hour

Each of the summer camps has a range of hours that is dependent on weather, drop-off and pick-up times of campers, daily trip times, and set-up/planning time.

- Art in the Park - Range is from 4-5 hours per day
- Recreation Camp - Range is from 4-5 hours per day
- Pre-K Camp - Range is from 4-5 hours per day
- Jr. Travel Camp - Range is from 4-5 hours per day
- Nature Art Camp - Range is from 4-5 hours per day
- Photography Camp - Range is from 3.5-4.5 hours per day
- Baseball Camp - Range is from 20 hours to 25 hours per week
- Softball Camp - Range is from 20 hours to 25 hours per week
- Soccer Camp/League - Range is from 5 hours to 8 hours per week
- Field Hockey League - Range is from 5 hours to 8 hours per week
- Volleyball Camp - Range is from 25 hours to 30 hours per week
- Lunch Bunch - Range is from 1-1.5 hours per day
- Teen Travel - Range is from 35 hours to 40 hours per week

**RESOLUTION #22-217**

**A RESOLUTION AUTHORIZING  
REFUNDS FROM HOPEWELL TOWNSHIP  
PLANNING & ZONING TRUST ACCOUNTS**

**BE IT RESOLVED**, on this 13<sup>th</sup> day of June 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the individuals and/or corporations so specified below be refunded the account balance shown as their respective Planning Board or Zoning Board applications have been finalized:

<u>A/C#</u>	<u>NAME</u>	<u>AMOUNT</u>
32906	Louis Giallella 17 Crest Avenue Pennington NJ 08534 B 83/L 56.012 – Bulk Variance	\$ 286.29
32675	Tree Farm Village LLC (Penn Pt West POA) 915 Pennsylvania Avenue Trenton, NJ 08638 B 48.02/L 1-C002 – Site, F, A (Rt. 31 Access)	\$4,647.49

**RESOLUTION #22-218**

**RESOLUTION FOR REDEMPTION  
OF TAX SALE CERTIFICATE ON  
MUNICIPAL LIENS**

**WHEREAS**, on April 18, 2018 the Township held its annual Tax Sale for delinquent 2017 and prior tax, sewer and miscellaneous charges; and

**WHEREAS** Block 40.02 Lot 6.27 known as 5278 Province Line Road, assessed to Carden H Wade & Anne B, did not sell, and was subsequently struck off to the Township as Municipal Lien #18-00005; and

**WHEREAS**, on June 7, 2022 Municipal Lien 18-00005 was redeemed by Weathervane Abstract & Settlement Services LLC (Cortes & Hay Title Agency, Inc) as agent at time of sale; and

**WHEREAS**, the Township can now release the Lien Certificate to the redeemer.

**NOW, THEREFORE, BE IT RESOLVED**, on this 13<sup>th</sup> day of June 2022, that the Township Committee of the Township of Hopewell, Mercer County, State of New Jersey, hereby authorize the Mayor to endorse Tax Sale Certificate 18-00005 and the Tax Collector to release the Lien Certificate listed to the redeemer as specified above.

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**R E S O L U T I O N #22-219**

**RESOLUTION FOR REDEMPTION  
OF TAX SALE CERTIFICATES**

**WHEREAS**, on October 20, 2021 Evolve Bank and Trust purchased Tax Sale Certificate 21-00004, for property located at Block 40.02, Lot 6.26 known as 5280 Province Line Road, assessed to Carden Wade H & Anne B.; this certificate was redeemed by Weathervane Abstract & Settlement Services LLC (Cortes & Hay Title Agency, Inc) as agent at time of sale; and

**WHEREAS**, the Township can now release the principal and interest received, and premium.

**NOW, THEREFORE, BE IT RESOLVED**, on this 13<sup>th</sup> day of June 2022 that the Township Committee of the Township of Hopewell, Mercer County, State of New Jersey, hereby authorizes the Tax Collector to release the amounts listed to the Lien Holder as specified below:

<u>BLOCK/LOT</u>	<u>OWNERS' NAME(S)</u>	<u>AMOUNT</u>	<u>LIEN HOLDER</u>	<u>PREMIUM</u>
40.02/6.26	Carden Wade & Anne	\$89,557.47	Evolve Bank & Trust	\$315,100.00
	Overpaid Lien balance to current property tax per Cortes & Hay-			\$ 574.20

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

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**R E S O L U T I O N #22-220**

**A RESOLUTION AUTHORIZING REFUND OF  
TAX OR SEWER OVERPAYMENTS**

**WHEREAS**, the Tax Collector has determined that overpayments of taxes and/or utility charges have been made; said overpayments are caused by duplicated payments from owners, title agencies and mortgage companies who have been contacted by the Collector for proper settlement; tax appeals; or utility overpayments.

**NOW, THEREFORE, BE IT RESOLVED**, on this 13<sup>th</sup> day of June 2022 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the individuals and/or corporations so specified below be refunded the overpayment of taxes. Further, a copy of this approved resolution shall be forwarded to the Collector and to the Finance Officer.

<u>BLOCK/LOT</u>	<u>REFUND TO</u>	<u>REASON</u>	<u>LOCATION</u>	<u>AMOUNT</u>
78/7.01	Novitz Norman & Marva	Overpaid tax	1 Lexington Dr	\$3,028.41

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**R E S O L U T I O N #22-221**

**RESOLUTION APPROVING THE APPLICATION OF HOPEWELL TOWNSHIP  
RECREATION DEPARTMENT TO CONDUCT A SOAP BOX DERBY**

**WHEREAS**, application has been made by the Hopewell Township Recreation Department to conduct a Soap Box Derby event in the Township of Hopewell at South Timberlane Drive (between Middle School and High School) on June 25, 2022, between the hours of 8:00 a.m. and 5:00 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 events and recommend the granting of a permit pursuant to the Revised General Ordinances of the Township of Hopewell, Chapter IV, Section 4-3 Festivals and Large Assemblies;

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

1. This Resolution shall constitute a permit to conduct a Soap Box Derby event in accordance with the application submitted by Hopewell Township Recreation Department, which events are to be held on June 25, 2022, at South Timberlane Drive (between Middle School and High School) Pennington, NJ 08534.
2. Hopewell Township Recreation Department shall be exempted from the several provisions of 4-3, et seq. (4-3.8 Exemptions. e. Governmental units) except those provided by 4-3.4, Insurance Requirement.
3. The Hopewell Township Recreation Department will coordinate with the Hopewell Township Police Department for assistance with traffic control during arrival and departure of the event.
5. The Municipal Clerk is directed to forward a certified copy of this resolution to the Hopewell Township Recreation Department, 201 Washington Crossing-Pennington Road, Titusville, NJ 08560.

### **R E S O L U T I O N #22-222**

#### **RESOLUTION APPROVING THE APPLICATION OF MERCER COUNTY 4-H TO CONDUCT A 4-H FAIR**

**WHEREAS**, application has been made by the Mercer County 4-H to conduct a 4-H Fair in the Township of Hopewell at Howell Living History Farm on July 30, 2022 between the hours of 10:00 a.m. and 8:00 p.m. and July 31, 2022 between the hours of 10:00 a.m. and 4:00 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 festival and recommend the granting of a permit pursuant to the Revised General Ordinances of the Township of Hopewell, Chapter IV, Section 4-3 Festivals and Large Assemblies.

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

1. This Resolution shall constitute a permit to conduct a 4-H Fair in accordance with the application submitted by Mercer County 4-H, which festival is to be held on July 30 and 31, 2022 at Howell Living History Farm in Hopewell Township.
2. Mercer County 4-H shall be exempted from the several provisions of 4-3, et seq. (4-3.8 Exemptions. a. Charitable or non-profit organizations) except those provided by 4-3.4, Insurance Requirement.
3. The Municipal Clerk is directed to forward a certified copy of this resolution to the Mercer County 4-H, 1440 Parkside Avenue, Ewing, NJ 08638

### **R E S O L U T I O N #22-223**

#### **A RESOLUTION DIRECTING THE HOPEWELL TOWNSHIP ZONING OFFICER TO ISSUE A TEMPORARY ACTIVITIES PERMIT TO ANNE NIXON-ELLERY FOR A BAR MITZVAH AT THE GLENMOORE FARM**

**WHEREAS**, Anne Nixon-Ellery seeks permission to use her property, "The Glenmoore Farm" located at 105 Pennington Hopewell Road on June 25, 2022 for a Bar Mitzvah from 10:00 a.m. – 8:30 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, Municipal Construction Office and Hopewell Valley Fire Safety who have raised no objections;

**NOW, THEREFORE, BE IT RESOLVED**, on this 13<sup>th</sup> day of June 2022, 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 Bar Mitzvah on June 25, 2022 subject to receipt of all final approvals and comments from the Hopewell Township Health Officer, Hopewell Township Police, Municipal Construction Office, 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:

1. The applicant must ensure compliance with any applicable Executive Order in effect on the date of their event and should implement CDC guidance related to COVID-19.
2. Provide the Health Officer with the name of the catering vendor being used for the event.
3. The applicant has been advised that they will need to obtain a Fire Safety permit and provide a floor plan for the tent.
4. If any of the following are to be used, a separate Fire Safety permit is required for each:
  - Use of fire pit
  - Use of heat for tent
  - Any open flame devices
  - Any on-site cooking or heating of food that uses propane or any fuel- fired appliance

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**RESOLUTION #22-224**

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

**WHEREAS**, Anne Nixon-Ellery seeks permission to use her property, “The Glenmoore Farm” located at 105 Pennington Hopewell Road on July 9, 2022 for a Wedding Event from 10:30 a.m. – 9:30 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, Municipal Construction Office and Hopewell Valley Fire Safety who have raised no objections;

**NOW, THEREFORE, BE IT RESOLVED**, on this 13<sup>th</sup> day of June 2022, 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 Wedding Event on July 9, 2022 subject to receipt of all final approvals and comments from the Hopewell Township Health Officer, Hopewell Township Police, Municipal Construction Office, 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:

5. The applicant must ensure compliance with any applicable Executive Order in effect on the date of their event and should implement CDC guidance related to COVID-19.
6. Provide the Health Officer with the name of the catering vendor being used for the event.
7. The applicant has been advised that they will need to obtain a Fire Safety permit and provide a floor plan for the tent.
8. If any of the following are to be used, a separate Fire Safety permit is required for each:
  - Use of fire pit
  - Use of heat for tent
  - Any open flame devices
  - Any on-site cooking or heating of food that uses propane or any fuel- fired appliance

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At 9:15 p.m. Mayor Peters-Manning called for a recess.

At 9:20 p.m. the meeting reconvened.

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**RESOLUTION #22-225.** Read by title.

Motion by Ruger, seconded by Chait to adopt Resolution #22-225.

**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #22-225**

**RESOLUTION AUTHORIZING THE ISSUANCE OF ESTIMATED TAX BILLS FOR  
THE THIRD QUARTER 2022**

**WHEREAS**, the Governing Body has determined that there may be insufficient cash flow to support operations in late July 2022 unless third quarter revenue is received on time; and

**WHEREAS**, the Chief Financial Officer and the Tax Collector have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.2.

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Township of Hopewell, Mercer County, State of New Jersey, hereby authorizes that:

1. If so required the Tax Collector is directed to prepare and issue estimated tax bills for the municipality of Township of Hopewell for the third quarter 2022, in accordance with the provisions of N.J.S.A. 54:66-2 et seq.
2. The entire estimated tax levy for 2022 is hereby set at \$119,043,516.50
3. The Tax Collector may take any additional steps necessary to immediately implement this resolution.

**BE IT FURTHER RESOLVED**, that a copy of this approved Resolution be forwarded to the Chief Financial Officer and the Tax Collector.

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**RESOLUTION #22-227.** Read by title.

Motion by Chait, seconded by Purandare to adopt Resolution #22-227.

**ABSTAIN:** Kuchinski

**MOTION CARRIED**

**R E S O L U T I O N #22-226**

**RESOLUTION APPROVING THE APPLICATION OF BRICK FARM TAVERN, LLC  
TO CONDUCT A SUMMER SOLSTICE CELEBRATION OF THE LAND  
FUNDRAISER**

**WHEREAS**, application has been made by the Brick Farm Tavern, LLC to conduct a Summer Solstice Celebration of the Land Fundraiser in the Township of Hopewell at Brick Farm Tavern, 130 Hopewell Rocky Hill Road, Hopewell, NJ 08525 on June 23, 2022 between the hours of 6:30 p.m. and 9:30 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 event and recommend the granting of a permit pursuant to the Revised General Ordinances of the Township of Hopewell, Chapter IV, Section 4-3 Festivals and Large Assemblies;

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

1. This Resolution shall constitute a permit to conduct a Summer Solstice Celebration of the Land Fundraiser in accordance with the application submitted by Brick Farm Tavern, LLC, which event is to be held on June 23, 2022, at Brick Farm Tavern, 130 Hopewell Rocky Hill Road, Hopewell, NJ.

2. Brick Farm Tavern shall be exempted from the several provisions of 4-3, et seq. (4-3.8 Exemptions. a. Charitable or non-profit organizations) except those provided by 4-3.4, Insurance Requirement.

3. The Municipal Clerk is directed to forward a certified copy of this resolution to Brick Farm Tavern, LLC, 130 Hopewell Rocky Hill Road, Hopewell, NJ 08525

**RESOLUTION #22-227.** Read by title.  
 Motion by Kuchinski, seconded by Chait to adopt Resolution #22-227.  
**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #22-227**

**A RESOLUTION APPROVING  
 A SALARY & TITLE CHANGE**

**BE IT RESOLVED** on this 13<sup>th</sup> day of June, 2022 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the following salary and title change be and is hereby adopted:

<b>NAME</b>	<b>PRESENT TITLE</b>	<b>PROPOSED TITLE</b>	<b>PRESENT SALARY</b>	<b>PROPOSED SALARY</b>	<b>EFFECTIVE DATE</b>
Charles Snook	Truck Driver	Light Equipment Operator	\$61,399.38	\$67,539.32	06/20/2022

**RESOLUTION #22-228.** Read by title.  
 Motion by Ruger, seconded by Purandare to adopt Resolution #22-228.  
**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #22-228**

**A RESOLUTION APPOINTING  
 A MEMBER TO THE HOPEWELL  
 TOWNSHIP ZONING BOARD OF ADJUSTMENT**

**BE IT RESOLVED**, by the Hopewell Township Committee of the Township of Hopewell, County of Mercer, on this 13<sup>th</sup> day of June 2022, that Matthew Kolodziej is hereby appointed as a regular member of the Hopewell Township Zoning Board of Adjustment to an unexpired term expiring December 31, 2022.

**RESOLUTION #22-229.** Read by title.  
 Motion by Chait, seconded by Purandare to adopt Resolution #22-229.  
**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #22-229**

**RESOLUTION APPROVING DEVELOPER'S  
 CONSTRUCTION AGREEMENT BETWEEN THE  
 TOWNSHIP OF HOPEWELL AND  
 WOODMONT FEDERAL HOPEWELL URBAN RENEWAL, LLC  
 (WOODMONT AT HOPEWELL)**

**BE IT RESOLVED**, on this 13<sup>th</sup> day of June 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That the DEVELOPER'S CONSTRUCTION AGREEMENT between the Township of Hopewell and Woodmont Federal Hopewell Urban Renewal, LLC (Woodmont at Hopewell), which is annexed to and made a part of this Resolution be and is hereby approved.

2. That the Mayor and Municipal Clerk be and are hereby authorized to execute said Developer's Construction Agreement between the Township of Hopewell and Woodmont Federal Hopewell Urban Renewal, LLC (Woodmont at Hopewell).

3. Performance Guarantees, in an amount and form to be approved by the Township Administrator, Township Attorney, and Township Engineer, will be attached to the Agreement as Exhibit "C".

**RESOLUTION #22-230.** Read by title.

Motion by Chait, seconded by Ruger to adopt Resolution #22-230.

**ABSTAIN:** Kuchinski

**MOTION CARRIED**

**R E S O L U T I O N #22-230**

**A RESOLUTION AMENDING 2022  
PROFESSIONAL SERVICES AGREEMENTS**

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

**WHEREAS**, it is necessary to amend this agreement to change the amount and/or the term of the contract; and

**WHEREAS**, the Chief Financial Officer has certified that the funds will be available.

<u>FIRM</u>	<u>CURRENT MAXIMUM</u>	<u>PROPOSED MAXIMUM</u>	<u>CURRENT TERM EXPIRES</u>	<u>PROPOSED TERM EXPIRES</u>
Mason, Griffin & Pierson (Conflict Attorney) 2-01-20-115-028	\$ 2,000.00	\$ 2,500.00	12/31/2022	No Change
Van Cleef Engineering Associates (Washington Crossing Estate project) 2-05-55-502-028	\$5,000.00	\$10,000.00	12/31/22	No Change

**NOW, THEREFORE, BE IT RESOLVED** on this 13<sup>th</sup> day of June, 2022 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.

**RESOLUTION #22-231.** Read by title.

Motion by Purandare, seconded by Chait to adopt Resolution #22-231.

**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #22-231**

**RESOLUTION TO AUTHORIZE THE AWARD OF A TWO-YEAR CONTRACT FOR  
POLICE UNIFORM CLEANING TO CUSTOM CLEANERS**

**WHEREAS**, the Township of Hopewell has a need for cleaning and repair of police uniforms; and

**WHEREAS**, the Township sought quotes from local qualified cleaning services in accord with the request or quotes process, under the New Jersey Local Public Contracts Law at N.J.S.A. 40A:11-6.1; and

**WHEREAS**, Custom Cleaners, 800P Denow Rd Pennington, N.J., has provided quotes for service that are deemed to be the most advantageous to the Township, price and other factors considered; and



**WHEREAS**, subject to the approval of future budgets by the Township of Hopewell Committee, he Chief Financial Officer hereby certifies that funds not to exceed:  
2-01-25-240-172 \$5,000  
3-01-25-240-172 subject to the appropriation in the 2023 adopted budget  
4-01-25-240-172 subject to the appropriation in the 2024 adopted budget

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Township of Hopewell authorizes the Mayor to execute a two (2) year contract for cleaning of police uniforms with Custom Cleaners, 800P Denow Rd Pennington, N.J.

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**RESOLUTION #22-232.** Read by title.  
Motion by Ruger, seconded by Chait to adopt Resolution #22-232.  
**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #22-232**

**A RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1985) (2022 CLEAN COMMUNITIES GRANT)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**NOW, THEREFORE, BE IT RESOLVED** on this 13<sup>th</sup> day of June 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Township of Hopewell hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2022 in the sum of \$56,461.77 which item is now available as a revenue from:

2022 Clean Communities Grant \$56,461.77

**BE IT FURTHER RESOLVED** that a like sum be and the same is hereby appropriated as follows:

2022 Clean Communities Grant \$56,461.77

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**RESOLUTION #22-233.** Read by title.  
Motion by Ruger, seconded by Chait to adopt Resolution #22-233.  
**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #22-233**

**A RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1985) PENNINGTON DAY GRANT**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount; and

**NOW, THEREFORE, BE IT RESOLVED** on this 13<sup>th</sup> day of June 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Township of Hopewell hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2022 in the sum of \$250.00 which item is now available as a revenue from:

2022 Pennington Day Grant \$250.00

**BE IT FURTHER RESOLVED** that a like sum be and the same is hereby appropriated as follows:

2022 Pennington Day Grant \$250.00

**RESOLUTION #22-234.** Read by title.

Motion by Purandare, seconded by Ruger to adopt Resolution #22-234.

**MOTION UNANIMOUSLY CARRIED**

**R E S O L U T I O N #22-234**

**RESOLUTION OF APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR ROADWAY IMPROVEMENTS TO PENNINGTON-ROCKY HILL ROAD (ARVIDA DRIVE TO MOORE’S MILL-MOUNT ROSE ROAD)**

**NOW, THEREFORE, BE IT RESOLVED** that Committee of Hopewell Township formally approves the grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA – 2023 - Roadway Improvements Pennington Rock - 00259 to the New Jersey Department of Transportation on behalf of Hopewell Township in the amount of \$570,638.75; and

**BE IT FURTHER RESOLVED** that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Hopewell Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

**RESOLUTION #22-235.** Read by title.

Motion by Chait, seconded by Ruger to adopt Resolution #22-235.

**ABSTAIN:** Kuchinski

**MOTION CARRIED**

**R E S O L U T I O N #22-235**

**RESOLUTION APPROVING RENEWAL OF RETAIL ALCOHOLIC BEVERAGE LICENSES FOR 2022-2023**

**WHEREAS**, the applications and all required state and municipal fees have been received for renewal of the Retail Alcoholic Beverage Licenses listed; and

**WHEREAS**, the Township of Hopewell Health Department and Police Department have informed the Municipal Clerk that each of the listed licensed establishments have been inspected for compliance of requirements under their purview.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Hopewell, County of Mercer, that applications for renewal of the following retail alcoholic beverage licenses for the year 2022-2023 are hereby approved; and

**BE IT FURTHER RESOLVED**, that the Municipal Clerk of the Township of Hopewell, County of Mercer, is hereby authorized and instructed to issue and deliver said licenses on or before June 30, 2022:

**PLENARY RETAIL CONSUMPTION LICENSES  
EFFECTIVE JULY 1, 2022**

STATE ISSUE

<u>LICENSE NUMBER</u>	<u>LICENSEE</u>	<u>TRADE NAME</u>	<u>ADDRESS</u>
1106-33-002-004	Wildflowers Inn, Inc.	Wildflowers Inn	2572 Pennington Road Pennington, NJ 08534
1106-33-003-008	Brick Farm Tavern, LLC	Brick Farm Tavern	130 Hopewell-Rocky Hill Rd., Hopewell, NJ 08525

1106-33-004-002	Hillbilly Hall, Inc.	Mignella's	203 Hopewell-Wertsville Rd. Hopewell, NJ 08525
1106-33-005-006	Hopewell Valley Golf Club & Country Club LLC	Lakeside Café & Liquors	129 Route 31 North Hopewell, NJ 08525
1106-33-007-010	Pennington Wine, Inc.	Home Wines & Liquors	800 Denow Road, Suite J Hopewell Town Center Pennington, NJ 08534
1106-33-008-007	Mizuki Asian Bistro, Inc.	Mizuki Asian Bistro	800 B Denow Road Pennington, NJ 08534
1106-33-009-008	Michael Angelo Assoc., LLC	Osteria Procaccini	Tree Farm Road Suite 101/102 Pennington, NJ 08534
1106-33-011-004	Max Hansen Caterer, LLC	Max Hansen Caterer, LLC	328 Carter Road Hopewell, NJ 08560
1106-33-012-007	Patriots Crossing, LLC	Patriots Crossing	1339 River Road Titusville, NJ 08560

**PLENARY RETAIL DISTRIBUTION LICENSE  
EFFECTIVE JULY 1, 2022**

STATE ISSUE

<u>LICENSE NUMBER</u>	<u>LICENSEE</u>	<u>TRADE NAME</u>	<u>ADDRESS</u>
1106-44-001-004	Reddy & Reddy, Inc.	Hopewell Super Buyrite	222 Route 31 South Pennington, NJ 08534

**RESOLUTION #22-236.** Read by title.  
Motion by Ruger, seconded by Chait to adopt Resolution #22-236.

**ROLL CALL VOTE:**

**AYES:** Chait, Kuchinski, Purandare, Ruger, Mayor Peters-Manning  
**NOES:** None

**BILLS & CLAIMS**

**BE IT RESOLVED,** that the list of cash disbursements authorized for approval of bills for payment date June 13, 2022 in the following amounts:

Bills and Claims	\$	727,511.27
Payroll	\$	682,270.60
Total Disbursements	\$	1,409,781.88

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.**

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**PUBLIC SECTION**

No comments from the public.

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**EXECUTIVE SESSION RESOLUTION.** Read into the record.

Mayor Peters-Manning stated that the regular meeting may reconvene following the Executive Session.

Motion by Chait, 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 #22-237**

**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

**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 13<sup>th</sup> day of June, 2022 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 9:41 p.m. the Executive Session was held.

At 9:50 p.m. the Regular meeting reconvened.

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At 9:50 p.m., motion by Chait, 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