

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

Monday, February 22, 2010 – 7:02 p.m.

PROPER STATEMENT OF NOTICE - Mayor Markulec 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 and The Times (the official newspapers) on January 5, 2010 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: Burd, Johnson, Sandom, Mayor Markulec

ABSENT: Murphy

STAFF PRESENT: Administrator/Engineer Pogorzelski, CFO Borges, Municipal Clerk Bielawski, Township Attorney Goodell

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

ADDITIONAL ITEMS FOR MEETING AGENDA

Mayor Markulec advised of the following additional item for the scheduled meeting agenda: A Resolution Endorsing the Installation of a Temporary Traffic Signal at the Intersection of Mercer County Route 546 and Jacobs Creek Road.

COMMITTEE MEMBERS AND STAFF REPORTS

Committee Member Sandom reported on a meeting of the Environmental Commission that included the status of the Environmental Resource Inventory Plan, the small lot animal agriculture ordinance, and Community Forestry Management Plan. She also reported that the Open Space Advisory Committee has completed its preservation criteria list and first draft of priority properties for review with the Agricultural Advisory Committee.

Committee Member Burd reported on Public Works Department activities that included snow removal; repairs to mailboxes damaged while snowplowing; clearing of roads from fallen trees; and pothole repair. He publicly thanked the Public Works Department crew and members of the Police Department and Emergency Services for their work during the storm which deposited 24 inches of snow. Committee Member Burd also reported on a meeting held February 18th with residents of Old Mill Road and Federal City Road, representatives of the Mercer County engineer's office, Mr. Pogorzelski, Chief Meyer, Township Committee Member Sandom and himself with regard to Old Mill Road and the closure of the bridge.

Mayor Markulec reported that he attended the February 16th Historic Preservation Commission meeting and discussion included proposed properties for preservation and issues concerning the Jacobs Creek Bridge. He also reported on the Youth Advisory Board and ongoing fundraising activities with regard to the teen center. Mayor Markulec reported he attended the Pack 1776 Blue and Gold dinner and he congratulated the Webelos who attained the Boy Scout status. He also congratulated the Timberlane Middle School wrestling team for its second place win in the County tournament.

Committee Member Johnson reported on a special meeting of the Affordable Housing Committee and the marketing agency of the township's affordable housing units. She also reported on a meeting of the Senior Advisory Board and new programs commencing this spring.

Mr. Pogorzelski announced the 5th Annual Boards, Commissions and Committees Joint Meeting will be held tomorrow evening, February 23rd from 7:00 p.m. to 9:00 p.m. at Janssen Pharmaceutica. He reported on the status of certain township affordable housing projects and he noted that Project Freedom has received Planning Board approval. Mr. Pogorzelski gave an update on labor negotiations and indicated that the proposed PBA and SOA contracts would be scheduled for a vote on March 8. Mr. Pogorzelski raised a question concerning the Hollystone acquisition contract as to whether the township wishes to assign its ownership interest to Mercer County, and he solicited the Committee's input. Mr. Pogorzelski reported receipt of a request from Bongiorno Productions, a film company working with D&R Greenway, to participate in workshops with regard to a demonstration project to construct a sustainable home. He also reported on a request by D&R Greenway to waive certain fees as a non-profit for proposed projects at St. Michaels including construction of a parking lot. Insofar as government entities share in the ownership of the tract, Mr. Pogorzelski suggested that the project could be considered as a capital project review and partnered to advance the effort. Mr. Pogorzelski discussed a request from the Friends of Hopewell Valley Open Space to place signs to identify its tracts. He was of the opinion that the township's sign ordinance was in need of revision but indicated he would research sign ordinances applicable to open space.

Mr. Goodell reported on the status of the proposed referendum on the sale of the Trenton Water Works; and the Capital Health System tax issue and a scheduled meeting with the Mayors of Hopewell Township, Hopewell and Pennington Boroughs with regard to the agreement.

Ms. Borges reported on a meeting with bond counsel with regard to the proposed bonding of outstanding notes in 2010.

Ms. Bielawski reported on a request from the League of Women Voters for use of the Municipal Building on Wednesday, March 10th from 7:30 p.m. to 9:00 p.m. for a meeting on the topic of "Municipal Consolidation."

PUBLIC SECTION

William Clarke, a resident of Cherry Valley Road, questioned the following: a residents' meeting with PSE&G with regard to Mt. Rose issues; the availability of police contracts on the township's website; and the possibility that the proposed teen center could be coupled with a senior center.

Christine Donahue, a resident of Grand Street, Trenton, commented on the proposed sale of the Trenton Water Works and noted she was working with a group of Trenton residents to stop the sale and to exercise the right to a referendum. She solicited support in any manner and urged that the township direct questions on this issue to her group.

Billie Moore, a resident of Scotch Road, questioned the proposed teen center and the impending application to the Pennington Planning Board. She asked if Hopewell Township will be the applicant; its commitment to the project in terms of payment for the lease; and costs involved with the building as to renovations, etc. Mayor Markulec indicated that the Teen Center Task Force is scheduled for a presentation of options and recommendations for a center to the Township Committee at its March 8 regular meeting. Ms. Moore also discussed the issue of a new sign ordinance and suggested alternatives to contracting a professional planner to draft such regulations.

Committee Member Sandom commented on the Teen Center Task Force presentation before the Pennington Borough Council at its regular meeting. She noted that three members of the Hopewell Township Committee were present at said Borough Council meeting. She contended that individuals could generate certain presumptions such as the lease, and disadvantage future discussions for Township Committee members who did not attend the meeting. In response to a question by Ms. Moore with regard to the Open Public Meetings Act, Mr. Goodell advised that as the three members were not present to act upon the public business or to take concerted action on an issue before a public body there would be no violation.

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Markulec read by title the introduced ordinance:

ORDINANCE AMENDING BOND ORDINANCE #08-1425, AS AMENDED BY #08-1431 OF THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY, FINALLY ADOPTED APRIL 14, 2008, AS AMENDED JUNE 23, 2008 IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT.

Mr. Pogorzelski explained the proposed ordinance amends the description of certain projects in the original bond ordinance that included replacement of the roof on the Public Works Building to permit use of the monies to effect necessary repairs to the Municipal Building.

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

Motion by Burd, seconded by Johnson to close public hearing.

MOTION UNANIMOUSLY CARRIED

Motion by Burd, seconded by Johnson to adopt the introduced ordinance.

ROLL CALL VOTE:

AYES: Burd, Johnson, Sandom, Mayor Markulec

NOES: None

ABSENT: Murphy

ORDINANCE ADOPTED

Ordinance advertised February 11, 2010 Hopewell Valley News. Posted municipal bulletin board as required by law.

ORDINANCE NO. 10-1487

ORDINANCE AMENDING BOND ORDINANCE #08-1425, AS AMENDED BY #08-1431 OF THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY, FINALLY ADOPTED APRIL 14, 2008, AS AMENDED JUNE 23, 2008 IN ORDER TO AMEND THE DESCRIPTION OF THE PROJECT.

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

Section One. Section 3(e) of Bond Ordinance #08-1425, as amended by #08-1431 of the Township of Hopewell, in the County of Mercer, New Jersey (the “Township”), finally adopted April 14, 2008, as amended June 23, 2008 (“Bond Ordinance #08-1425”) is hereby amended to read as follows:

“Buildings and Grounds:

Remediate mold, the replacement of windows, mansard and other roof repairs, masonry/brick, EFIS/stucco, steps, interior and exterior entry/exit ways, skylights, interior and exterior handicapped ramp installation/modifications and other leak repairs in the Administration Building, and repair/replacement of protective windows/amenities in courts including all work and materials necessary therefor and incidental thereto.

\$1,000,000

\$950,000

10 years

Acquisition of various equipment, including a Weaver lift and a mower lift for the Public Works Garage,

centrifugal pump heating systems, a chain link fence for the Fuel Station and a condenser line, boilers and hydronic heaters for the Administration Building, including all work and materials necessary therefor and incidental thereto.

\$85,100 \$80,844 15 years

TOTAL: \$1,085,100 \$1,030,844”

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

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

CONSENT AGENDA ITEMS

Committee Member Johnson requested that Item D, “A Resolution Authorizing Refund of Payment on Water Utility on Block 92.02, Lot 14,” be removed from the Consent Agenda for further discussion.

RESOLUTIONS #10-60 THROUGH #10-64 AND REQUEST FOR USE OF MUNICIPAL BUILDING. Read by title.

Motion by Burd, seconded by Johnson to adopt Resolutions #10-60 through #10-64 and approve request for use of Municipal Building.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #10-60

A RESOLUTION AUTHORIZING REFUND OF 2010 TAX OVERPAYMENTS TO MORTGAGE SERVICING COMPANY

WHEREAS, on February 1, 2010 First American Real Estate Tax Services made a bulk payment for first quarter 2010 taxes; and

WHEREAS, various properties as listed on the following attachment were included in the bulk payment; said properties had been paid by other parties; and

WHEREAS, the bulk payment created overpayments totaling \$15,855.14 that must be returned.

NOW, THEREFORE BE IT RESOLVED, on this 22nd day of February, 2010 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the overpayments of first quarter taxes for the properties listed be refunded to First American Real Estate Tax Service, at 1 First American Way, Attention: Tax Refund, DFW 1-3, Westlake, Texas, 76262.

<u>BLOCK</u>	<u>LOT</u>	<u>LOCATION</u>	<u>ASSESSED TO</u>	<u>AMOUNT</u>
8	12	135 Hopewell Wertsville Rd	Aurora Loan Services	\$1,418.95
39.01	5	14 Caroline Dr	Richards, Scott & Patricia	\$4,743.43
51	5	104 Harb Woodsville Rd	Guthrie & Merzena	\$4,317.73
78.20	18 C083	208 Amberleigh Ct	Clark & Celli	\$1,640.51
78.37	1 C248	248 Colt St	Sverdlov, Oleksandr	\$1,896.86
78.43	1 C010	21 Miller Circle	Appuvuchetty & Jaganathan	\$1,837.66

TOTAL: \$15,855.14

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Tax Collector and the Finance Officer.

RESOLUTION #10-61

**A RESOLUTION AUTHORIZING REFUND OF
2010 TAX OVERPAYMENT ON BLOCK 78, LOT 10.02 C125**

WHEREAS, Block 78 Lot 10.02 C125, known as 8 Blake Drive, is assessed to Steve Bonafacio; and

WHEREAS, first quarter taxes on this parcel total \$1,946.79; and

WHEREAS, Mr. Bonifacio remitted duplicate on-line payments totaling \$3,977.28, resulting in an overpayment on the first quarter of \$2,030.49; and

WHEREAS, the owner, Steven Bonifacio, has requested, in writing, the return of the amount overpaid.

NOW, THEREFORE BE IT RESOLVED, on this 22nd day of February 2010 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the overpayment of taxes in the amount of \$2,030.49 for Block 78 Lot 10.02 C125 be refunded to Steven Bonifacio, 8 Blake Drive, Pennington, NJ 08534.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Tax Collector and Finance Officer.

RESOLUTION #10-62

**A RESOLUTION AUTHORIZING REFUND OF
2010 TAX OVERPAYMENTS**

WHEREAS, the Tax Collector has determined that overpayments of first quarter 2010 tax payments have been made;

NOW, THEREFORE, BE IT RESOLVED, on this 22nd day, of February, 2010 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 shown as refunds for overpayment of 1st quarter 2010 taxes.

<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO</u>	<u>AMOUNT</u>
28	10	Timothy Hayes & Erika Kotite 1523 Harbortown Rocktown Rd Lambertville NJ 08530	\$3,222.34
43.07	6	Arlene & Ronald Crouse 14 East Shore Drive Princeton, NJ 08540	\$7,211.14
78.29	2	Roger Tarman 35 Foster Road Pennington NJ 08534	\$2,038.41

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the Tax Collector and Finance Officer.

RESOLUTION #10-63

**RESOLUTION FOR REDEMPTION
OF TAX SALE CERTIFICATE
(BLOCK 72, LOT 10.22)**

WHEREAS, on December 4, 2007, Josef Hoffmann purchased Tax Sale Certificate #07-00009, for property located at Block 72, Lot 10.22, 2 Benjamin Trail, assessed to Lawrence S & Tracie Schulman; and

WHEREAS, American Home Mortgage Servicing, Inc., as mortgagee, has now redeemed the Tax Sale Certificate by remitting to the Township of Hopewell the total taxes paid by the Lien Holder and accrued to the Township plus interest and fees; and

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

NOW, THEREFORE, BE IT RESOLVED, on this 22nd day of February 2010, that the Township Committee of the Township of Hopewell, Mercer County, State of New Jersey, hereby authorize the Tax Collector to release the amount listed to the Lien Holder as specified below:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNERS' NAMES</u>	<u>AMOUNT</u>	<u>LIEN HOLDER</u>
72	10.22	Lawrence S & Tracie Schulman	\$281.10	Josef Hoffmann 326 Shady Lane Trenton NJ 08619
			\$-0-	PREMIUM

RESOLUTION #10-64

A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE METRO EMPLOYEE ASSISTANCE SERVICE

BE IT RESOLVED on this 22nd day of February, 2010, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the Mayor be and is hereby authorized to enter into an agreement, in a form similar to that which is attached hereto, with the Metro Employee Assistance Service for the provision of consulting services to assist employees and the Township in the areas of employee training and counseling.

REQUEST FOR USE OF MUNICIPAL BUILDING - Hopewell Valley League of Women Voters March 10, 2010, 7:00 p.m. - 9:30 p.m.

Committee Member Johnson questioned the proposed resolution (Item D) with regard to the refund of payment on a water utility. Mr. Pogorzelski explained the situation involving a plumbing emergency that resulted in a loss of water and large water bill and a request for relief by the property owners. Mr. Pogorzelski stated he was unaware of past township practice concerning such situations. It was the consensus of the Committee to hold the proposed resolution pending further review.

RESOLUTION #10-65. Read by title.
Motion by Burd, seconded by Johnson to adopt Resolution #10-65.

ROLL CALL VOTE:

AYES: Burd, Johnson, Sandom, Mayor Markulec
NOES: None
ABSENT: Murphy

RESOLUTION #10-65

A RESOLUTION FOR AN EMERGENCY TEMPORARY APPROPRIATION

WHEREAS, an emergent condition has arisen with respect to Administration O/E and no adequate provision has been made in the 2010 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the

purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2010 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$716,127.32

NOW, THEREFORE, BE IT RESOLVED, on this 22nd day of February 2010, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:

Administration O/E	2,000.00
Disability O/E	1,000.00

2. That said emergency temporary appropriation has been provided for in the 2010 budget under the title of:

As listed in 1 above

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

RESOLUTION #10-66. Read by title.

Motion by Burd, seconded by Johnson to adopt Resolution #10-66.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #10-66

A RESOLUTION OF CONCURRENCE SUPPORTING THE INSTALLATION OF ADDITIONAL NO STOPPING OR STANDING SIGNS ALONG ROUTE 31 IN THE VICINITY OF TREE FARM ROAD

WHEREAS, the New Jersey Department of Transportation (NJDOT) shares the concern of Hopewell Township for pedestrian and motorist safety along Route 31 in the vicinity of Tree Farm Road (MP 8.4); and

WHEREAS, following an engineering investigation, the Transportation Bureau of Traffic Engineering and Investigation (BTEI) supports the Township of Hopewell's request for additional no stopping or standing signs to be installed along Route 31 in both directions between the Pennington Borough-Hopewell Township Corporate Line and Yard Road; and

WHEREAS, a Traffic Regulation Order (TRO) presently exists for the entire length of Route 31 within the corporate limits of Hopewell Township; and

WHEREAS, a stipulation in the TRO requires an additional supporting resolution from township officials requesting that signing be installed.

NOW, THEREFORE, BE IT RESOLVED on this 22nd day of February 2010, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that Hopewell Township endorses and requests immediate installation of the appropriate signs in the area listed above; and

BE IT FURTHER RESOLVED that a certified copy of the Resolution of Concurrence be submitted to NJDOT.

RESOLUTION #10-67. Read by title.

Motion by Burd, seconded by Johnson to adopt Resolution #10-67.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #10-67

A RESOLUTION AMENDING 2009 PROFESSIONAL SERVICES AGREEMENTS

WHEREAS, the Township entered into a Professional Services Agreement for the year 2009 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 are available.

NOW, THEREFORE, BE IT RESOLVED on this 22nd day of February, 2010 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the 2009 Professional Services Agreement be and hereby is amended as follows:

FIRM	<u>CURRENT MAXIMUM</u>	<u>PROPOSED MAXIMUM</u>	<u>CURREN T TERM EXPIRES</u>	<u>PROPOSED TERM EXPIRES</u>
Faridy Veisz Fraytak, P.C. (Phase 1 Bldg. Design Services)	\$174,995.00	No Change	11/23/09	12/23/10
Curini Appraisal Co., Inc (BI 88 L 33.99)	2,675.00	\$4,175.00	12/31/09	3/1/10
Gebhardt & Kiefer, P.C. (Conflict Attorney for COAH)	\$ 750.00	\$1,200.00	12/31/09	3/1/10

RESOLUTION #10-68. Read by title.

Motion by Burd, seconded by Johnson to adopt Resolution #10-68.

MOTION UNANIMOUSLY CARRIED

RESOLUTION #10-68

**A RESOLUTION AUTHORIZING
PROFESSIONAL SERVICES AGREEMENTS**

WHEREAS, there exists a need for professional services for the following: alternate Engineering Services; and

WHEREAS, the estimated cost of the contract is \$25,000.00 for alternate Engineering Services; and funds will be available in the 2010 budget appropriations for this purpose certified by the local finance officer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A.40A:11-1 et seq.) requires that a resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreements with:
Hopewell Valley Engineering, PC, 73 Route 31 North, Pennington, NJ 08534

2. The contracts are awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law N.J.S.A.40A:11-5 (1)(a) as a contract for services to be performed by persons authorized by law to practice recognized professions that are regulated by law and it is not possible to obtain competitive bids.

3. A notice of this action shall be published once in the official newspaper as required by law.

RESOLUTION #10-69. Read by title.

Mr. Pogorzelski explained that subsequent to the closure of the Jacobs Creek Bridge significant traffic volume delays and safety issues have occurred on Jacobs Creek Road. Mr. Pogorzelski reported that he and Chief Meyer have met with the Mercer County engineer and concur that a temporary traffic signal at the intersection of Route 546 will resolve the issues at this time. In response to a question as to the funding of the temporary traffic signal, Mr. Pogorzelski indicated that the County is responsible for the costs. It was suggested that language be added to the resolution stating that no costs shall be borne by Hopewell Township.

Motion by Sandom, seconded by Johnson to adopt Resolution #10-69 as amended.

MOTION UNANIMOUSLY CARRIED

RESOLUTION #10-69

**A RESOLUTION ENDORSING THE INSTALLATION
OF A TEMPORARY TRAFFIC SIGNAL AT THE INTERSECTION
OF MERCER COUNTY ROUTE 546 AND JACOBS CREEK ROAD**

WHEREAS, regional traffic patterns have been affected by the emergency closing of the bridge on Mercer County Route 579 which crosses over Jacobs Creek (Jacobs Creek Bridge) ; and

WHEREAS, significant traffic volume increases have been experienced on Jacobs Creek Road in Hopewell Township as a result of this emergency bridge closure; and

WHEREAS, this increase in traffic volume on Jacobs Creek Road has caused new significant delays and increased volume at the intersection of Jacobs Creek Road and Mercer County Route 546; and

WHEREAS, the intersection of Jacobs Creek Road and Mercer County Route 546 has unique geometric constraints which are factors in the intersection's ability to accommodate the additional traffic volumes experienced since the closure of the Jacobs Creek Bridge; and

WHEREAS, engineering evaluations of the impacts associated with the increased volumes at the intersection of Jacobs Creek Road and Mercer County Route 546 have been performed by the Mercer County Engineer and those evaluations have been reviewed by the Hopewell Township Engineer and Hopewell Township Police Chief; and

WHEREAS, the Hopewell Township Engineer and Hopewell Township Police Chief concur with the County Engineer's findings that the best plan to mitigate the impacts associated with the increased traffic volumes at the intersection of Jacobs Creek Road and Mercer County Route 546 is the installation of a *TEMPORARY TRAFFIC SIGNAL* at the intersection; and

WHEREAS, said temporary traffic signal should be removed upon reopening of Mercer County Route 579 over Jacobs Creek.

NOW, THEREFORE, BE IT RESOLVED, on this 22nd day of February, 2010, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the installation of a *TEMPORARY TRAFFIC SIGNAL* at the intersection of Jacobs Creek Road and Mercer County Route 546 be and is hereby endorsed subject to its removal upon reopening of Mercer County Route 579 over Jacobs Creek and that no part of the costs for installation, operation or removal will be at the expense of Hopewell Township.

BE IT ALSO RESOLVED that copies of this resolution be distributed to the Mercer County Freeholders, County Executive Brian Hughes, Mercer County Transportation and Infrastructure Director Aaron Watson, and Mercer County Engineer Gregory Sandusky.

RESOLUTION #10-70. Read by title.

Ms. Borges advised that the amount of the cash disbursements be amended to reflect the removal of the water utility reimbursement check from the bill list.

Motion by Burd, seconded by Johnson to adopt Resolution #10-70 as amended.

ROLL CALL VOTE:

AYES: Burd, Johnson, Sandom, Mayor Markulec

NOES: None

ABSENT: Murphy

**RESOLUTION #10-70
BILLS & CLAIMS**

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment dated February 22, 2010 in the following amounts:

Bills and Claims	-	\$ 5,034,952.15
Payroll	-	\$ 368,135.09
Total Disbursements	-	\$ 5,403,087.24

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

PUBLIC SECTION

No comments from the Public.

Mr. Pogorzelski announced a public meeting with regard to Honey Lake is scheduled for March 24th from 7:00 p.m. to 9:00 p.m. in the municipal building.

EXECUTIVE SESSION RESOLUTION. Read into the record.

Mayor Markulec stated that the regular meeting would not reconvene following the Executive Session.

Motion by Burd, seconded by Johnson to go to Executive Session to discuss contract negotiations, and legal matters.

MOTION UNANIMOUSLY CARRIED

EXECUTIVE SESSION RESOLUTION

WHEREAS, it is necessary for the Township Committee to discuss contract negotiations, and legal 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 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 22nd day of February 2010, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Township Committee shall forthwith conduct an executive session to discuss the above.

At 8:43 p.m. the Executive Session was held.

At 8:59 p.m., Motion by Burd, seconded by Johnson to adjourn the meeting.

MOTION UNANIMOUSLY CARRIED

ANNETTE C. BIELAWSKI
MUNICIPAL CLERK