

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

Monday, March 8, 2010 – 7:03 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, Murphy, Sandom, Mayor Markulec

ABSENT: None

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.

MINUTES SUBMITTED FOR APPROVAL

Motion by Burd, seconded by Sandom to approve the September 29, 2009 Regular and Executive Session (2) Meeting Minutes.

MOTION CARRIED

ABSTAIN: Johnson

Motion by Burd, seconded by Murphy to approve the October 13, 2009 Regular and Executive Session Meeting Minutes.

MOTION CARRIED

ABSTAIN: Johnson

PRESENTATION – TEEN CENTER TASK FORCE – TEEN CENTER

Committee Member Murphy interjected and requested clarification as to certain discussions that were held regarding the teen center at the February 1st presentation to the Pennington Borough Council that included representations that Hopewell Township would be the sole leaseholder of the teen center site and would be responsible for the taxes associated with said site. Committee Member Murphy stated that although he supports a teen center he cannot support a shared service which would benefit borough residents with no cost to the borough.

Mayor Markulec suggested that at this time the Teen Center Task Force present its proposal and that questions follow.

Heidi Kahme, Chair and Coordinator of the Hopewell Valley Municipal Alliance and member of the Teen Center Task Force, presented background as to the formation of the Teen Center Task Force and its goal to establish a teen center in Hopewell Valley. She introduced members of the task force that included Mayor Michael Markulec, Chair and Youth Advisory Board Liaison; Kim Bruno, Youth Advisory Board Advisor; Molly Haggerty, Sara Ricker and CJ Sevilla, Hopewell Valley Central High School students; parent Peggy Kershaw; and Hopewell Borough resident Phil Ludeke. Ms. Kahme gave a slide presentation that included the following:

- Objectives of the task force that included location/space; staffing and management; activities/programs/content; funding; timeline and recommendations.
- Location with regard to temporary space; approximate size of 2,000 square feet; walking distance to the high school/middle school; affordable lease; and renovation needs.
- Staffing and Management including on-site supervision and management of day-to-day operations; and subcontracting with the YMCA for scheduling.

Molly Haggerty continued the presentation that included the following:

- Content/Activities including drop in unstructured time; a learning center for homework help/tutoring; educational programs; health/wellness activities; and recreational games.
- Traffic and parking for staff and upper classmen; parking spaces currently available
- Security safeguards including Teen Code of Conduct; adult staff at all times; check-in/check-out procedures; disciplinary procedures; outdoor activities and outdoor lighting

Sara Ricker continued the presentation and explained the following:

- Potential partners such as senior citizens; and work with other teen organizations
- Annual Operating costs and renovation/set up cost

CJ Sevilla concluded the slide presentation with the following:

- Timeline and next steps including finalizing location; municipal approvals, renovation plan and ongoing fundraising
- Recommendations including proceeding with property on CHS site; development of a lease agreement and assistance with funding

Ms. Kahme solicited questions. Township Committee members raised issues that included the following:

Commitment and duration of fundraising; budgeted costs for taxes; responsibility for payment of taxes on the leased portion of the property and future tax liability; legal obligations of the Township with regard to the lease agreement; participation and shared services with Pennington and Hopewell Boroughs; use of the Center by seniors; outdoor activity on a portion of the site; and alternative sites for a teen center. It was noted that a “Teen Zone” is currently in use at the Hopewell Valley Branch Library as well as after school programming offered by the “Y” at Timberlane Jr.High.

Peggy Kershaw stated that the results of a teen center survey indicated that students would not participate in a program held at the library. She further noted that freshmen and sophomore students would not likely return to Timberlane Jr. High for a program.

Andrew Blumenthal commented that he attended the “Teen Zone” program at the library and there were problems such as adequate space for recreational activities.

Mayor Markulec opened public comment.

Norman Goldman, a resident of Michael Way, suggested that the YMCA run the teen center program and that there are other resources in the community other than the library that can be used to house teen activities.

William Clarke, a resident of Cherry Valley Road, expressed his opinion that there appears to be a lack of clarity in what the teens wish to do and what the township is willing to do and that there is no long term strategy. He also questioned language in the draft lease that would prohibit seniors from use of the facility.

CJ Sevilla commented that it was important to the teens that the seniors be involved in the facility and its use.

Dave Haggerty, a resident of Fox Run Road and father of Teen Task Force member Molly Haggerty, commented on the dialogue with the teens and questioned further direction by the Township Committee for support of its project.

Ashley Kerr, a resident of Bear Tavern Road, commended the teens on their presentation and asked that the Township Committee work with the teens as to possible contributions by the boroughs and signing of the lease agreement.

Billie Moore, a resident of Scotch Road, commended the teens for their presentation and commented on the language of the draft lease concerning seniors. She voiced concerns over costs that included renovations. She suggested that a greater effort be expended to coordinate with the YMCA rather than the township as the lead.

Sam Roscoes, a member of the Youth Advisory Board, commented the teens are before the Township Committee to request guidance and help to accomplish its goal in matters they may not be practiced.

Mayor Markulec asked for a Motion to close public comment.

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

MOTION UNANIMOUSLY CARRIED

Mayor Markulec summarized the Teen Center Task Force's presented set of recommendations and certain township and task force responsibilities that included:

- The township should develop a lease agreement. The proposed CHS site is a viable site that may not be the ultimate location that should be explored. The township should move forward and negotiate terms of a lease and submit proper numbers and limitations on the property to the task force.
- The township should pursue a shared service agreement with the two boroughs by continuing conversations.
- The Task Force should develop a further detailed cost analysis for the next 3 to 5 years or until the "Y" building is finalized. The analysis should include taxes, potential grants and funding mechanisms.
- The Township and the Task Force should re-engage with the YMCA to determine its level of commitment as well as the specifics of operations and running the facility.

Mayor Markulec thanked the task force for its time and encouraged everyone to move forward and work together.

PRESENTATION – 2010 RECREATION PROGRAM FEES

Judy Niederer, Director of Hopewell Township Parks and Recreation, appeared before the Committee. She noted that the Recreation Department is celebrating its 10th year in operation and that a recreation trust fund was established which allows the department to operate its programs with no significant impact on the township budget as the majority of programs are self liquidating. She further noted the total budget for recreation represents one percent of the township budget. Ms. Niederer reviewed the services and programs provided to township residents that included:

- Operation and maintenance of over 350 acres of parks
- Operation and maintenance of fields including 2 multipurpose, 2 softball, 4 tennis courts, 2 basketball courts and walking trails
- Coordination and implementation of senior events including birthday breakfasts and the

- annual senior picnic
- Community trips including professional baseball games
- Multiple teen activities
- Summer camps including Art in the Park, multi-sports camps and a five-week teen travel camp
- Community events including fireworks and the annual tree lighting ceremony

Ms. Niederer explained the program fees are based on the cost for each individual program that may include tickets, lunch and buses determined on the number of people that are participating. The issue as to resident versus non-resident fees was discussed. She noted that the Recreation Advisory Committee has recommended the program fees and request Township Committees' approval in order to move forward with its programming.

Mayor Markulec thanked Ms. Niederer for her presentation and solicited comments. Committee members questioned certain items that included the amount of revenues, flexibility of the trust fund and at what point is the fund fully liquidated; resident deadlines for trips, and refunds to program participants; program pricing structures; the funding of capital purchases that relate to recreation; the proper amount of surplus to fund out of pocket expenses for the year; net revenue to cover the operating expense and capital expenditures; and the now void 2006 contract with the Hopewell Valley Baseball Softball Association to provide field lighting.

Mayor Markulec called for a MOTION to approve the 2010 fees.

Motion by Murphy, seconded by Burd to approve 2010 Recreation Department Program Fees.

MOTION UNANIMOUSLY CARRIED

COMMITTEE MEMBERS AND STAFF REPORTS

Committee Member Burd reported on Public Works Department activities that included snow removal, storm basin openings, mailbox repairs, and ditch and pot hole repairs.

Mayor Markulec commended the Public Works Department for its recent snow removal efforts. He announced the "Swing in to Spring" dance is scheduled for Saturday, April 17th from 4:00 p.m. to 7:00 p.m. at Hopewell Valley Central High School.

Committee Member Sandom noted the scheduled League of Women Voter's joint meeting on Municipal Consolidation and asked if Mayor Markulec will be speaking as a representative of the governing body or from his personal experience or point of view. Mayor Markulec responded that it was his understanding that the meeting would be a philosophical conversation on the issue. Mr. Goodell advised that insofar as the township has not formally discussed nor taken a position on the issue of municipal consolidation, that the Mayor would be speaking on behalf of himself.

Committee Member Johnson reported that the next Senior Advisory Board meeting is scheduled for March 17th at 2:00 p.m. at the Senior Center in Pennington. She displayed a copy of the "Senior Spirit" newsletter which includes activities available to Valley seniors and noted that it is folded by volunteers each month at the Senior Center and the next folding is March 19th at 1:00 p.m. Committee Member Johnson added that anyone wishing to receive a copy should contact the Senior Services Coordinator at the Municipal Building. She also reported the next Affordable Housing Committee meeting is scheduled for March 9th at 7:00 p.m.

Committee Member Murphy reported on the Small Business Seminar held the past Monday and noted that approximately 50 people were in attendance. He thanked former Committee Member David Dafilou for his work on the program and recommended to the Township Committee that additional seminars on specific topics be held. Committee Member Murphy reported on Recreation Department Activities that included several community trips and announced the next Recreation Advisory Committee meeting was scheduled for March 15th at 7:00 p.m.

Mr. Pogorzelski reported on the following: a proposed neighborhood meeting with PSE&G with regard to the Mt. Rose closure this summer; a neighborhood meeting held with regard to the Old Mill Road Bridge; reconstruction and closure of the Titus Mill Road Bridge; Pennington-

Titusville Road scheduled construction; and the Twin Pines site construction bid.

Ms. Borges reported on a project working with teens to teach accounting.

Ms. Bielawski announced the deadline to register to vote in the school board election is March 30, 2010.

PUBLIC SECTION

Ronnie Katz, a resident of Maddock Road, reported she attended a meeting with Dan Saunders of the State Historic Preservation Office (SHPO), Beth Kerr and David Blackwell with regard to possible historic status eligibility of the site at Jacobs Creek and Bear Tavern Road. She noted that the SHPO will be making its recommendations to the County within a 30 to 45 day period. She also reported on a meeting of the Coalition to Save the Victory Trail and Jacobs Creek Bridge and a decision to present the 2004 task force recommendations as acceptable alternatives. She asked that the Township Committee review the Task Force recommendations in lieu of passing a resolution to support the task force findings.

Mr. Goodell advised that the task force report be circulated to the current Township Committee members for discussion and a subsequent decision for its endorsement by resolution. It was further suggested that the report be submitted to the Township Historic Preservation Commission.

Mary Alicia Devine, a resident of Forrest Edge Drive, questioned the status of the Task Force recommendations prior to the Mercer County proposal for the bridge.

William Schoelwer, a resident of Westcott Boulevard, questioned the status of the Capital Health System tax issue; the use of cold patch in repair of potholes; responsibility for snow removal on portions of the Lawrence Hopewell Trail and the possibility of its extension down Wargo Road into Princeton Farms.

CONSENT AGENDA ITEMS

RESOLUTIONS #10-71 AND #10-72 AND RAFFLES LICENSE APPLICATIONS RA:1-10 AND RA:2-10. Read by title.

Motion by Burd, seconded by Johnson to adopt Resolutions #10-71 and #10-72 and approve Raffles License Applications RA:1-10 and RA:2-10.

MOTION UNANIMOUSLY CARRIED

RESOLUTION #10-71

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 8th day of March, 2010, 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:

| | | |
|---------------------|--|-----------|
| Ellen Acuna | 116 Weldon Way, Pennington, NJ 08534 | \$ 90.00 |
| Lucia Andrei | 251 Penn-Hopewell Rd, Hopewell, NJ 08525 | \$ 160.00 |
| Nancy Archibald | 21 Maple Lane, Pennington, NJ 08534 | \$ 160.00 |
| Donna Bates | 3 Overlook Rd, Hopewell, NJ 08525 | \$ 80.00 |
| Katia Boven | 613 Scotch Road, Pennington, NJ 08534 | \$ 65.00 |
| Henry Brown | 5123 Leeward Rd, Bensalem, PA 19020 | \$ 80.00 |
| Joanne Chen | 19 Miller Circle, Pennington, NJ 08534 | \$ 80.00 |
| Rachael Clark-Vetri | 18 Blue Ridge Road, Titusville, NJ 08560 | \$ 130.00 |
| Donna Dowdie | 6 Madison Street, Pennington, NJ 08534 | \$ 65.00 |

| | | |
|---------------------|---|-----------|
| Debbie Enourato | 2500 Pennington Road, Pennington, NJ 08534 | \$ 130.00 |
| Deanna Field | 3104 Harper's Crossing, Langhorne, PA 19047 | \$ 65.00 |
| Johanna Gonzalez | 26 Navesink Drive, Pennington, NJ 08534 | \$ 65.00 |
| Patricia Habig | 330 Province Line Rd, Skillman, NJ 08558 | \$ 65.00 |
| Jane Caola Jones | 14 Forrest Edge Drive, Titusville, NJ 08560 | \$ 65.00 |
| Anna Jurewicz | 207 Lamb-Hopewell Rd, Hopewell, NJ 08525 | \$ 65.00 |
| Janice Kinnamon | 128 Brandon Rd, Pennington, NJ 08534 | \$ 65.00 |
| Kathy Korwin | 25 Shara Lane, Pennington, NJ 08534 | \$ 80.00 |
| Robert Levy | 326 Hale Street, Pennington, NJ 08534 | \$ 65.00 |
| Inger Magnusson | 4 Masters Way, Pennington, NJ 08534 | \$ 80.00 |
| Ramona Matthews | 2405 Pennington Rd, Pennington, NJ 08534 | \$ 65.00 |
| Mary Beth McDonough | 3 North Riding Drive, Pennington, NJ 08534 | \$ 130.00 |
| Roberta Melusky | 4 Plymouth Street, Pennington, NJ 08534 | \$ 65.00 |
| Xenia Morin | 34 Baldwin Street, Pennington, NJ 08534 | \$ 160.00 |
| Wendy Reed | 19 Fanning Way, Pennington, NJ 08534 | \$ 80.00 |
| Cynthia Ricker | 127 King George Road, Pennington, NJ 08534 | \$ 65.00 |
| Terri Rivkin | 37 Nedsland Avenue, Titusville, NJ 08560 | \$ 75.00 |
| Michelle Schilling | 280 Penn-Harbourton, Pennington, NJ 08534 | \$ 80.00 |
| Dawn St. John | 16 Crusher Road, Hopewell, NJ 08525 | \$ 80.00 |
| Maude Tatar | 34 Shara Lane, Pennington, NJ 08534 | \$ 80.00 |
| Carolyn Wooley | 257 Penn-Harbourton, Pennington, NJ 08534 | \$ 130.00 |
| Norma Anne Bollick | 77 Lexington Drive, Pennington, NJ 08534 | \$ 124.00 |

RESOLUTION # 10-72

**A RESOLUTION AUTHORIZING
REFUNDS FROM HOPEWELL TOWNSHIP
ZONING TRUST ACCOUNT**

BE IT RESOLVED, on this 8th day of March 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 refunded the account balance shown as their respective Zoning Board applications have been finalized:

| A/C# | NAME | AMOUNT |
|---------------|---|--------------------|
| Z9919 4518 | SPRINT SPECTRUM ONE INTERNATIONAL BOULEVARD SUITE 800 MAHWAH, NJ 07495 122/9, 10 – VAR, SITE, P/F | \$ 14.21 |
| Z1028 4519 | NEXTELL COMMUNICATIONS 3329 STREET ROAD 3 GREENWOOD SQUARE BENSALEM, PA 19020-2021 122/9, 10 – VAR, SITE, P/F | \$ 1,200.81 |
| | TOTAL | \$ 1,215.02 |

RAFFLES LICENSE APPLICATION – Pennington Montessori School (RA:1-10) Off-Premise 50/50, May 1, 2010, 7:00 p.m. to 10:00 p.m., 46 Yard Road, Pennington, NJ

RAFFLES LICENSE APPLICATION – Pennington Montessori School (RA:2-10) On-Premise Draw, May 1, 2010, 7:00 p.m. to 10:00 p.m., 46 Yard Road, Pennington, NJ

RESOLUTION #10-73. Read by title.
Motion by Burd, seconded by Johnson to adopt Resolution #10-73.
ROLL CALL VOTE:

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

R E S O L U T I O N #10-73
A RESOLUTION FOR AN
EMERGENCY TEMPORARY APPROPRIATION

WHEREAS, an emergent condition has arisen with respect to Administration O/E and Fleet Maintenance 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 \$766,127.32

NOW, THEREFORE, BE IT RESOLVED, on this 8th day of March 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 | 20,000.00 |
| Fleet Maint O/E | 30,000.00 |

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 #10-74. Read by title.

Mr. Pogorzelski explained the proposed resolution relates to the clean-up of an affordable housing unit in order to avoid a health problem and preserve the unit as a part of the affordable housing inventory. He added that according to the Affordable Housing attorney, funds may be expended from the township's Affordable Housing Trust for the clean-up.

Committee Member Sandom suggested the township re-evaluate its affordable housing inventory and the need to preserve such units due to the possibility of a major revision of the state's affordable housing requirements in the future. She further asked for a review as to the status of larger properties purchased by the township such as the Pennytown property and the affordable housing trust fund.

Motion by Burd, seconded by Johnson to adopt Resolution #10-74.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #10-74
A RESOLUTION AUTHORIZING EXPENDITURE OF
FUNDS FROM THE AFFORDABLE HOUSING TRUST
ACCOUNT FOR CLEANUP OF 109 GENTRY COURT

WHEREAS, 109 Gentry Court, Hopewell Township, New Jersey is a deed-restricted affordable housing unit within the Township of Hopewell; and

WHEREAS, the owner of this property died in the property on or about February 4, 2010 and as a result the property requires cleanup in order to avoid a health problem and to facilitate the property's resale to an income-eligible household; and

WHEREAS, the Hopewell Township Municipal Housing Liaison has obtained estimates for the purpose of undertaking and completing said cleanup; and

WHEREAS, the Township Committee wishes to facilitate the immediate cleanup of the unit provided that the costs for same are charged back as a lien against the property for reimbursement to the Township.

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

1. Funds not to exceed seven thousand six hundred seventeen and 33/100 (\$7,617.33) dollars are hereby authorized to be expended from the Hopewell Township Affordable Housing Trust Fund for the cleanup of 109 Gentry Court.
2. All funds advanced from said Trust Fund for said cleanup shall be a lien against the property and repaid to said Trust Fund upon the resale of 109 Gentry Court.
3. A certified true copy of this Resolution shall be furnished upon its adoption to the Township's Municipal Housing Liaison as well the Township's Health Department.

RESOLUTION #10-75. Read by title.
 Motion by Burd, seconded by Johnson to adopt Resolution #10-75.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #10-75

**A RESOLUTION AMENDING 2010
 PROFESSIONAL SERVICES AGREEMENTS**

WHEREAS, the Township entered into a Professional Services Agreement for the year 2010 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 8th day of March, 2010 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the 2010 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> |
|--|-----------------------------------|------------------------------------|---|---|
| Fredrick M. Knapp, Esq. Labor contract negotiations | \$5,000.00 | \$10,000.00 | 12/31/10 | No Change |

RESOLUTION #10-76. Read by title.
 Motion by Burd, seconded by Johnson to adopt Resolution #10-76.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #10-76

**A RESOLUTION APPROVING AN AGREEMENT WITH THE
 HOPEWELL TOWNSHIP POLICE SUPERIOR OFFICERS ASSOCIATION
 AND AUTHORIZING THE EXECUTION THEREOF**

WHEREAS, the Township Committee and the Hopewell Township Police Superior Officers Association have reached an agreement on the negotiable terms and conditions of employment for the period from January 1, 2010 through December 31, 2012.

NOW, THEREFORE, BE IT RESOLVED, on this 8th day of March, 2010, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the attached agreement between the Township of Hopewell and the Hopewell Township Police Superior Officers Association be and is hereby approved.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Hopewell that the Mayor and Clerk be authorized to execute said agreement.

RESOLUTION #10-77. Read by title.
Motion by Burd, seconded by Johnson to adopt Resolution #10-77.
MOTION UNANIMOUSLY CARRIED

RESOLUTION #10-77

**A RESOLUTION APPROVING AN AGREEMENT WITH THE
HOPEWELL TOWNSHIP POLICE BENEVOLENT ASSOCIATION
AND AUTHORIZING THE EXECUTION THEREOF**

WHEREAS, the Township Committee and the Hopewell Township Police Benevolent Association have reached an agreement on the negotiable terms and conditions of employment for the period from January 1, 2010 through December 31, 2012.

NOW, THEREFORE, BE IT RESOLVED, on this 8th day of March, 2010, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the attached agreement between the Township of Hopewell and the Hopewell Township Police Benevolent Association be and is hereby approved.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Hopewell that the Mayor and Clerk be authorized to execute said agreement.

RESOLUTION #10-78. Read by title.
Motion by Burd, seconded by Johnson to adopt Resolution #10-78.
MOTION UNANIMOUSLY CARRIED

RESOLUTION #10-78

**AUTHORIZATION TO ISSUE A LICENSE TO
TRAP ROCK INDUSTRIES, INC. FOR QUARRYING AT
MOORE'S STATION QUARRY (2010/2011)**

WHEREAS, Trap Rock Industries, Inc., Laurel Avenue, Kingston, New Jersey, 08528, has applied for a license for quarrying at the Moore's Station Quarry on Route #29, Block 59, Lot 2; and Block 60, Lot 1 for one (1) year, commencing March 19, 2010; and

WHEREAS, items have been received or completed as follows:

1. The required license fee of Two Thousand Dollars (\$2,000), and completed application.
2. Site inspection of the quarry operation and its compliance with the requirements of the land reclamation program on March 8, 2010, completed by Hopewell Township Engineer Paul E. Pogorzelski.
3. Certificate of Insurance for Moore's Station Quarry - all operations effective December 31, 2009 with an expiration date of December 31, 2010; subject to the submission of a new insurance certificate covering the 2010/2011 licensing period.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Clerk issue the 2010-2011 license upon receipt of a new performance guarantee bond in the amount of \$34,500.00 in accordance with the following recommendations set forth in a letter submitted by the Township Engineer dated March 8, 2010; a copy of which is attached hereto and made a part hereof:

Maintenance of water flows at stockpile location; dust and tracking control along access driveway and Route 29; fencing repairs and replacements; site grading to provide 100% diversion to the approved on-site recharge basin; placement of seedings and plantings on disturbed slopes and berms; soil erosion control measures; cover plantings on spoil areas; general maintenance in accordance with the Ordinance; and providing updated surveys
..... \$28,000.00

Maintenance of stabilization of overburden stockpile embankments; maintenance of cut-off trench to provide adequate filtration of embankment runoff; additional embankment plantings; and annual overseeding of embankment.....\$6,500.00

**Total Recommended Performance Guarantee
For Annual License Renewal..... \$34,500.00**

BE IT FURTHER RESOLVED that the issuance of the license is contingent upon the filing of Discharge Monitor Reports with the Municipal Clerk.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Hopewell, that the application in its entirety is approved, and the Municipal Clerk is instructed to inform the Hartford Fire Insurance Company that the performance guarantee bond dated March 19, 2009, in the total amount of \$34,500.00 has been released.

RESOLUTION #10-79. Read by title.

Motion by Burd, seconded by Johnson to adopt Resolution #10-79.

ROLL CALL VOTE:

AYES: Burd, Johnson, Murphy, Sandom, Mayor Markulec

NOES: None

**RESOLUTION #10-79
BILLS & CLAIMS**

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment dated March 8, 2010 in the following amounts:

| | | |
|---------------------|---|---------------|
| Bills and Claims | - | \$ 345,329.86 |
| Payroll | - | \$ 363,628.94 |
| Total Disbursements | - | \$ 708,958.80 |

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.

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 8th day of March 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 10:33 p.m. the Executive Session was held.

At 11:14 p.m., Motion by Burd, seconded by Johnson to adjourn the meeting.

MOTION UNANIMOUSLY CARRIED

ANNETTE C. BIELAWSKI
MUNICIPAL CLERK