

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

Monday, March 14, 2005 - 7:15 p.m.

PROPER STATEMENT OF NOTICE - Mayor Kemp 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, 2005 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: Iorio, Niederer, Sandom, Sandahl, Mayor Kemp

ABSENT: None

STAFF PRESENT: Interim Administrator McDonough, Township Attorney Goodell, Municipal Clerk Bielawski, CFO Cruickshank-Borges

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

APPROVAL OF MINUTES

Motion by Sandom, seconded by Sandahl to approve the Minutes of the October 20, 2004 Regular Meeting as submitted.

MOTION CARRIED

ABSTAIN: Iorio, Niederer

ADDITIONAL ITEMS FOR MEETING AGENDA

Mayor Kemp advised of two additional resolutions for the scheduled agenda namely, to accept the resignations and authorize separation agreements for Lieutenants Bruce Carnall and Frank Fechter.

COMMITTEE MEMBERS AND STAFF REPORTS

Committee Member Niederer reported that the Historic Preservation Commission is working on the preparation of design guidelines for historic sites. She also reported on Public Works Department activities that included brush and bulky waste pickup, temporary patching of roads, repair of mailboxes, and one snow event.

Committee Member Iorio reported that a meeting has been scheduled tomorrow with Hopewell Borough concerning the interlocal agreement for police services. He also reported he attended a meeting of a division of the Mercer County Chamber of Commerce and that the township is soliciting members for its Business Alliance Partnership.

Committee Member Sandahl reported on a meeting of the township's Planning Board that included a report as to the State's new stormwater management regulations.

Mr. McDonough reported on discussions with the Hopewell Valley Regional Board of Education concerning interlocal recreation agreements.

Mr. Goodell reported on the status of the Twin Pines Homeowners' Association lawsuit against the township. He also reported that a meeting has been scheduled March 17 with the Ewing-Lawrence Sewerage Authority (ELSA) to discuss amendments to the township's Wastewater Management Plan.

Mr. Pogorzelski reported on the status of township construction projects. He indicated that he is preparing 2006 Trust Fund applications and that projects under consideration are overlays to Harbourton-Rocktown Road and Old Mill Road. He noted receipt of information concerning the availability of grants for the funding of water systems and the possibility of such funding for the township.

Ms. Borges reported that the auditors are working at the municipal building this week. She also reported on the sale of township notes.

PUBLIC SECTION

There were no comments from the public.

ORDINANCE - INTRODUCTION AND FIRST READING

Mayor Kemp read by title the ordinance for introduction:

AN ORDINANCE AMENDING ORDINANCE 04-1312, "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 2004"

Mr. McDonough explained that the proposed ordinance reduces the number of hours to be worked by the Tax Collector from 35 hours per week to 25 hours per week and is part of the township's overall fiscal austerity plan. He reviewed the current hours of operation and the responsibilities of the Tax Collector. In response to a question from Committee Member Niederer as to the possibility of the office remaining open independently of the Tax Collector's hours of work, Mr. McDonough advised that statute permits the office to be open only during the Tax Collector's scheduled hours of work.

Mayor Kemp opened discussion to the public.

Hopewell Township Tax Collector Kathleen Cantwell read a prepared statement as to her personal concerns over the proposed reduction of hours and the monetary effect on her living conditions.

Committee members discussed the township's fiscal crisis and budgetary issues. It was determined to continue examination of the budget for cost saving alternatives to a reduction in force.

Motion by Sandom, seconded by Iorio to introduce the ordinance on first reading.

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Mayor Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date March 28, 2005, at 7:00 p.m.

CONSENT AGENDA ITEMS

RESOLUTIONS #05-77 THROUGH #05-80. Read by title.

Motion by Iorio, seconded by Sandahl to adopt Resolutions #05-77 through #05-80.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-77

**A RESOLUTION AUTHORIZING
RELEASE OF BONDS AND/OR FEES**

WHEREAS, bonds and/or fees were posted for various permits; and

WHEREAS, appropriate Township Department Officials have certified that outstanding items have been met and recommend reimbursement of the bonds.

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of March 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That Health Bond money (\$500.00) for Block 46, Lot 26.01, posted on 7/6/04 by Hopewell Valley Self Storage, 81 Route 31 North, Pennington, NJ 08534 be and is hereby released.
2. That Driveway Bond money (\$1,000.00) for Block 78, Lot 9.11, posted on 9/22/03 by Beazer Homes, 250 Phillips Blvd., Suite 290, Trenton, NJ 08618 be and is hereby released.

R E S O L U T I O N #05-78

**RESOLUTION FOR REDEMPTION
OF TAX SALE CERTIFICATE**

WHEREAS, the Township of Hopewell has received payment for the redemption of tax sale certificate #04-02 in the amount of \$16,209.80;

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of March 2005, that the Township Committee, of the Township of Hopewell, County of Mercer, State of New Jersey, hereby authorizes the Tax Collector to release the amount specified to the lien holder listed below.

BLOCK	LOT	NAME	AMOUNT	LIEN HOLDER
24	2	Newitt	\$16,209.80	Life Center Academy

R E S O L U T I O N #05-79

**A RESOLUTION APPROVING THE
PAYMENT OF UNUSED SICK AND ANNUAL
LEAVE TIME TO EDWARD VAN HISE**

WHEREAS, Edward Van Hise retired March 1, 2005 after twenty-nine years of employment with the Township of Hopewell; and

WHEREAS, the Hopewell Township Police Benevolent Association provides to employees who separate from service the payment of unused annual leave at their current hourly rate; and

WHEREAS, the Hopewell Township Police Benevolent Association provides for employees retiring under the Public Employees Retirement System and/or Police and Fireman's Retirement System the payment for unused sick leave at 50% of their current rate, up to \$15,000.00.

NOW, THEREFORE, BE IT RESOLVED on this 14th day of March 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the Township Committee hereby approves the payout of accumulated annual and sick leave as calculated by the Chief Financial Officer in the amount of \$15,598.15.

R E S O L U T I O N #05-80

**A RESOLUTION ACCEPTING THE
RESIGNATION OF MARISA WIECZOREK,
PART-TIME GIS/GRANT COORDINATOR**

WHEREAS, Marisa Wieczorek has been employed as Part-Time GIS/Grant Coordinator since October 1, 2002; and

WHEREAS, Marisa Wieczorek submitted her resignation effective March 22, 2005.

NOW, THEREFORE, BE IT RESOLVED on this 14th day of March 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That Marisa Wieczorek's resignation effective March 22, 2005, be and is hereby accepted with regret.

2. That the Township Committee, on behalf of the municipal staff, wishes Marisa success in her future endeavors.

RESOLUTION #05-81. Read by title.

Mayor Kemp advised that two formal resolutions highlighting the careers and accomplishments of Lieutenant Fechter and Carnall will be scheduled for presentation at the April 25 Township Committee meeting.

Motion by Sandom, seconded by Niederer to adopt Resolution #05-81.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-81

**A RESOLUTION ACCEPTING THE RESIGNATION OF
LIEUTENANT FRANK FECHTER AND AUTHORIZING
THE TOWNSHIP TO ENTER A SEPARATION
AGREEMENT WITH LT. FECHTER**

WHEREAS, Frank Fechter was appointed as a dispatcher for the Hopewell Township Police Department on January 1, 1975; and

WHEREAS, Frank Fechter was subsequently promoted to patrol officer, to sergeant and then to lieutenant with the Hopewell Township Police Department; and

WHEREAS, Frank Fechter has served Hopewell Township honorably throughout his 30 years of service, and is now eligible for retirement; and

WHEREAS, the Township and Frank Fechter have reached agreement on the provisions of a separation agreement that would provide Lt. Frank Fechter with additional compensation in consideration for accepting a payout of his accrued benefits over a five-year time period and for retiring at this time.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hopewell, that the Township Committee accepts Frank Fechter's resignation and retirement from the Hopewell Township Police Department, subject to the terms and conditions set forth in the Separation Agreement attached hereto.

BE IT FURTHER RESOLVED that Frank Fechter's resignation and retirement shall be effective as of April 30, 2005.

RESOLUTION #05-82. Read by title.

Motion by Niederer, seconded by Iorio to adopt Resolution #05-82.

MOTION UNANIMOUSLY CARRIED

RESOLUTION #05-82

**A RESOLUTION ACCEPTING THE RESIGNATION OF
LIEUTENANT BRUCE CARNALL AND AUTHORIZING
THE TOWNSHIP TO ENTER A SEPARATION
AGREEMENT WITH LT. CARNALL**

WHEREAS, Bruce Carnall was appointed as a patrol officer for the Hopewell Township Police Department on July 1, 1974; and

WHEREAS, Bruce Carnall was subsequently promoted to sergeant and then to lieutenant with the Hopewell Township Police Department; and

WHEREAS, Bruce Carnall has served Hopewell Township honorably throughout his 30 years of service, and is now eligible for retirement; and

WHEREAS, the Township and Bruce Carnall have reached agreement on the provisions of a separation agreement that would provide Lt. Bruce Carnall with additional compensation in consideration for accepting a payout of his accrued benefits over a five-year time period and for retiring at this time.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hopewell, that the Township Committee accepts Bruce Carnall's resignation from the Hopewell Township Police Department, subject to the terms and conditions set forth in the Separation Agreement attached hereto.

BE IT FURTHER RESOLVED that Bruce Carnall's retirement shall be effective as of April 30, 2005.

RESOLUTION #05-83. Read by title.

Mayor Kemp advised of certain amendments to the proposed resolution as follows: 5th paragraph change 30 days to 45 days and delete "Part-time GIS Grant Coordinator;" and 7th paragraph delete "Health Department Secretary."

Motion by Niederer, seconded by Sandahl to adopt Resolution #05-83 as amended.

MOTION UNANIMOUSLY CARRIED

RESOLUTION #05-83

**A RESOLUTION INSTITUTING AN EMPLOYEE
REDUCTION PLAN AS PART OF AN OVERALL
TOWNSHIP FISCAL AUSTERITY PROGRAM**

WHEREAS, pursuant to *N.J.S.A.* 40A:9-165, the Township Committee of the Township of Hopewell (hereinafter •Committee•) is authorized to appoint and determine the salaries, wages and compensation to be paid to officers and employees of this Township; and

WHEREAS, the compensation levels for such officers and employees is set forth in the Comprehensive Salary and Wage Plan, adopted by the Township Committee as Ordinance No. 04-1312 on March 22, 2004; and

WHEREAS, the Township is now facing unprecedented fiscal problems caused in large part by the reduction or absence of any meaningful state financial support and escalating personnel costs; and

WHEREAS, those financial problems have resulted in the Township Committee committing itself to adopting a fiscal austerity program, including the reduction in force of certain Township employees.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hopewell that the following employees will be reduced in force or laid off for indefinite periods of time, beginning 45 days from the adoption of this Resolution:

Deborah Gervasio - Part-Time Historical Preservation Commission Secretary
 Raymond Lenz - Maintenance Coordinator/Production Assistant-Cable Television
 Michael Sanders - Laborer, Department of Public Works
 John Schmidt - Laborer, Department of Public Works

BE IT FURTHER RESOLVED, the hours of the Tax Collector and the Secretary in the Health Department shall be reduced from 35 hours to 25 hours each week, with a concomitant reduction in the annual salary for that position; and

BE IT FURTHER RESOLVED, that the reduction in hours and salary of the Tax Collector will be contingent upon the adoption of an accompanying ordinance amending the present salary ordinance; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to each of the named employees and each collective negotiations representative of the affected employees with the hope that alternatives can be arranged to effect comparable savings without the necessity of undertaking the reductions in personnel as set forth above.

RESOLUTION #05-84. Read by title.

Motion by Sandom, seconded by Niederer to adopt Resolution #05-84.

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Mayor Kemp

NOES: None

R E S O L U T I O N #05-84

**A RESOLUTION FOR AN
 EMERGENCY TEMPORARY APPROPRIATION**

WHEREAS, an emergent condition has arisen with respect to the below listed categories; and no adequate provision has been made in the 2005 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 2005 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$2,626,900.00;

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of March 2005, 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:

Legislative S/W	\$ 4,000.00
Executive S/W	67,100.00
Finance S/W	53,250.00
Tax Collection S/W	24,400.00
Legal/Prosecutor S/W	13,200.00
Clerk S/W	37,000.00
Assessor S/W	35,700.00
Muni Bldg S/W	18,000.00
Police S/W	687,000.00
Planning S/W	32,000.00
Zoning S/W	18,600.00
Health S/W	62,400.00
Public Works S/W	320,000.00
Fleet Maint S/W	41,000.00
Recreation/Parks S/W	8,300.00
Interlocal Police S/W	64,500.00
Municipal Court S/W	65,000.00
Interlocal Health S/W	9,600.00
Interlocal Recreation S/W	43,700.00

Public Defender S/W	6,000.00
Subtotal Salary	1,610,750.00
Interlocal Recycling O/E	47,400.00
Solid Waste Recycling O/E	40,000.00
Motor Fuels O/E	40,000.00
Legal O/E	100,000.00
Engineering O/E	22,500.00
Employee Benefits O/E	380,000.00
Social Security O/E	130,000.00
Street Lighting O/E	24,000.00
Utilities O/E	25,000.00
Telephone O/E	24,000.00
Disability Ins O/E	2,000.00
Audit O/E	1,000.00
Buildings and Grounds O/E	20,000.00
Public Works O/E	85,000.00
Fleet Maintenance O/E	25,000.00
Administration O/E	20,000.00
Police O/E	20,000.00
Parks Maintenance O/E	5,000.00
Zoning O/E	5,250.00
Subtotal O/E	1,016,150.00
TOTAL	2,626,900.00

2. That said emergency temporary appropriation has been provided for in the 2005 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 #05-85. Read by title.

Motion by Sandahl, seconded by Niederer to adopt Resolution #05-85.

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Mayor Kemp

NOES: None

RESOLUTION #05-85

**A RESOLUTION FOR AN EMERGENCY
TEMPORARY APPROPRIATION
(UTILITY BUDGETS)**

WHEREAS, an emergent condition has arisen with respect to Water S/W and O/E, Sewer S/W and O/E, and Social Security O/E as listed below; and no adequate provision has been made in the 2005 Utility Budgets 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 2005 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$17,508.00 Water and \$225,290.00 Sewer;

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of March 2005, 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:
WATER

Salary and Wage	\$ 5,500.00
Other Expenditures	11,008.00
Employee Benefits O/E	1,000.00
Total	\$17,508.00

SEWER	
Salary and Wage	\$ 10,000.00
Other Expenditures	213,990.00
Ins Prem O/E	300.00
Employee Benefits O/E	1,000.00
Total	\$225,290.00

2. That said emergency temporary appropriation has been provided for in the 2005 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 #05-86. Read by title.

Motion by Sandahl, seconded by Sandom to adopt Resolution #05-86.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-86

2004 BUDGET TRANSFER RESOLUTION #5

BE IT RESOLVED on this 14th day of March 2005, by the Township Committee of the Township of Hopewell, County of Mercer and State of New Jersey, that a transfer be made in the 2004 Budget appropriations as follows:

From:

Public Works S/W	\$51,000.00
Total	\$51,000.00

To:

Legal	\$35,000.00
Engineering	16,000.00
Total	\$51,000.00

RESOLUTION #05-87. Read by title.

Motion by Sandom, seconded by Niederer to adopt Resolution #05-87.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-87

**A RESOLUTION CANCELING
CAPITAL APPROPRIATION BALANCES**

WHEREAS, certain Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Capital Surplus;

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of March 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following unexpended and dedicated balances of General Capital Appropriations be canceled:

ORD NO.	DATE ADOPT	PROJECT DESCRIPTION	CANCELED UNFUNDED
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03-1279	6-05-03	Salt Barn Repairs	4,680.00
03-1279	6-05-03	Heavy Vehicle Lift	25,125.00
03-1279	6-05-03	Light Vehicle Lift	6,382.00
03-1279	6-05-03	Court Reconfiguration	36,491.00
03-1279	6-05-03	Dump Truck/Plow Sander	5,723.00
03-1279	6-05-03	30 Yard Leaf Loader	8,451.00
03-1279	6-05-03	Rotary Filing System	27,000.00
04-1314	4-26-04	PW salaries (sect 20)	44,999.00
04-1314	4-26-04	Hot Pressure Washer	1,500.00
04-1314	4-26-04	Computer 783.00	
04-1314	4-26-04	T1 Line	4,600.00
04-1314	4-26-04	Digital Voice Recorder	12,140.00
03-1274	2-20-03	Roads	439,303.63
Total			\$617,177.63

RESOLUTION #05-88. Read by title.

Motion by Sandahl, seconded by Niederer to adopt Resolution #05-88.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-88

2005 DEBT SERVICE RESOLUTION (MATURING ON MARCH 15, 2005)

WHEREAS, N.J.S.A. 40A:4-19 provides authority for appropriating in a resolution the permanent debt service requirements for the coming fiscal year; and

WHEREAS, debt service payments will be due on March 14, 2005, on a Bond Anticipation Note issued and outstanding;

NOW, THEREFORE, BE IT RESOLVED on this 14th day of March 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following appropriations be made to cover the payments due March 15, 2005.

DEBT SERVICE • TOWNSHIP OF HOPEWELL 2004 BANS

Interest

Current Fund	\$86,475.07
Water Fund	1,921.67
Sewer Fund	7,686.67
TOTAL	\$96,083.41

RESOLUTION #05-89. Read by title.

Motion by Sandahl, seconded by Niederer to adopt Resolution #05-89.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-89

A RESOLUTION AMENDING 2004 PROFESSIONAL SERVICES AGREEMENTS

WHEREAS, the Township entered into Professional Services Agreements with the firms noted below for the year 2004; and

WHEREAS, it is necessary to amend the agreements to change the amount of the contracts; and

WHEREAS, the Chief Financial Officer has certified that the funds are available.

NOW, THEREFORE, BE IT RESOLVED on this 14th day of March 2005, by the

Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the 2004 Professional Services Agreements listed below be and hereby are amended as follows:

FIRM	CURRENT MAXIMUM	PROPOSED MAXIMUM
McManimon & Scotland, L.L.C. (Bond Counsel)	\$12,636.22	\$25,700.00
Mason Griffin and Pierson (General Legal)	\$75,000.00	\$76,000.00
Herbert VanNess Cayci & Goodell (Legal)	\$140,000.00	\$161,000.00
M2 Associates (Hydrogeologic Expert Testimony)	\$5,000.00	\$14,840.00
Van Cleef Engineering Associates (General Engineering)	\$172,900.00	\$200,500.00

RESOLUTION #05-90. Read by title.

Motion by Sandom, seconded by Sandahl to adopt Resolution #05-90.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-90

**A RESOLUTION AUTHORIZING
TRADE-IN OF ONE 2000 FORD EXPEDITION**

WHEREAS, the Township of Hopewell intends to purchase a new F550 4 X 4 or equal, and offer their 2000 Ford Expedition (Vin# 1FMPU16C25560) as a trade-in; and

WHEREAS, the Local Public Contracts law requires the passage of a resolution to allow for trade-ins as a credit toward new purchases.

NOW, THEREFORE, BE IT RESOLVED on this 14th day of March 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that it hereby authorizes the trade-in of one 2000 Ford Expedition (Vin#1FMPU16XYLC25560).

PROPOSED RESOLUTION/AWARDING CONTRACT FOR PURCHASE OF 2006 FORD F550

Committee Member Niederer suggested that purchase of any new vehicles be held pending an audit of the township's fleet by the business administrator. The Committee determined to hold action on the proposed resolution to the next regular meeting.

RESOLUTION #05-91. Read by title.

Mr. Pogorzelski reported that he had inspected the quarry and recommended renewal of the license. He noted that two complaints were received over one blast during the past year, and that an investigation had revealed that a heavier load of dynamite had been utilized on that occasion. Committee Member Niederer questioned the renewal fee for the licensing of a quarry. Mr. Pogorzelski responded that he would research the fee charged by other municipalities for a quarry license.

Motion by Niederer, seconded by Sandahl to adopt Resolution #05-91.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-91

**AUTHORIZATION TO ISSUE A LICENSE TO
TRAP ROCK INDUSTRIES, INC. FOR QUARRYING AT
MOORE'S STATION QUARRY (2005/2006)**

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, 2005; and

WHEREAS, items have been received or completed as follows:

1. The required license fee of One Thousand Dollars (\$1,000), and completed application.
2. Site inspection of the quarry operation and its compliance with the requirements of the land reclamation program on February 22, 2005, completed by Hopewell Township Engineer Paul E. Pogorzelski.

- 3. Certificate of Insurance for Moore's Station Quarry - all operations effective December 31, 2004 with an expiration date of December 31, 2005; subject to the submission of a new insurance certificate covering the 2006/2007 licensing period.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Clerk issue the 2005-2006 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 9, 2005; 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 Accident and Indemnity Company that the performance guarantee bond dated March 22, 2004, in the total amount of \$34,500.00 has been released.

RESOLUTION #05-92. Read by title.

Mayor Kemp asked that NJDOT Commissioner Lettiere be added to the list of forwarded copies contained in the last paragraph.

Motion by Niederer, seconded by Sandahl to adopt Resolution #05-92 as amended.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-92

**RESOLUTION CALLING FOR FULL AND FAIR
FUNDING IN THE TEA-21 REAUTHORIZATION**

WHEREAS, New Jersey continues to rank dead last in the amount of federal tax dollars that are returned to their state of origin; and for every dollar that New Jersey citizens send to Washington, only 65 cents worth of federal services come back; and

WHEREAS, this injustice has long been a problem, though when our economy was strong, we were better able to bear it; but now, the economic situation has intensified this problem for our State and its municipalities; and

WHEREAS, investments in our infrastructure, which would help to revitalize our economy, have been indefinitely deferred; crucial positions, which could be filled from the ranks of our unemployed, are left vacant; and essential property tax relief funding from State government remains flat; and

WHEREAS, as a result, our historic and unequalled over-dependence on regressive property taxes grows and more severe; and

WHEREAS, one priority of Congress, as it fashions the shape of TEA-21 reauthorization, should be to alleviate traffic congestion that is costing millions of dollars in lost productivity in many of the nation's urban regions; and

WHEREAS, even though local governments own and operate about 75 percent of the nation's 4-million-mile highway and roadway network, about 300,000 bridges and 90 percent of the nation's mass transit systems; yet, when it comes time to make crucial transportation decisions, local officials have control of only 6 cents of every tax dollar in federal transportation spending, while State departments of transportation have nearly complete autonomy over transportation spending decisions; and

WHEREAS, in New Jersey, municipal government maintains 25,382 miles of New Jersey's total 36,175 miles, 70 % of our State's roads;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, calls on Congress to support full and fair funding for TEA-21 reauthorization; and

BE IT FURTHER RESOLVED that we do ask our delegation to work towards giving local officials direct access to and flexibility in the use of federal dollars commensurate with their responsibilities to police and maintain roads, bridges, transit facilities and transit equipment; and

BE IT FURTHER RESOLVED that the Township Committee of the Township of Hopewell recognizes the national imperative for a predictable long-term transportation reauthorization, which is adequately funded for the mobility and safety needs of the people, and supports the funding level of \$318 billion over six years as set forth by the Senate in S.1072 during the 108th Congress; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the New Jersey State League of Municipalities, Congressman Rush Holt, Senators Corzine and Lautenberg, New Jersey Department of Transportation Commissioner Lettiere, and the Governor of the State of New Jersey.

RESOLUTION #05-93. Read by title.

Motion by Sandahl, seconded by Niederer to adopt Resolution #05-93.

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Mayor Kemp

NOES: None

RESOLUTION #05-93

BILLS & CLAIMS

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment dated March 14, 2005, in the following amounts:

Bills and Claims	-	\$468,163.32
Payroll	-	\$302,237.82
Total Disbursements	-	\$770,401.14

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

There were no comments from the public.

EXECUTIVE SESSION RESOLUTION. Read into the record.

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

Motion by Sandahl, seconded by Niederer to go to Executive Session to discuss legal and personnel matters. **MOTION UNANIMOUSLY CARRIED**

EXECUTIVE SESSION RESOLUTION

WHEREAS, it is necessary for the Township Committee to discuss legal, personnel and contract negotiation 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 14th day of March 2005, 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 8:17 p.m. the Executive Session was held.

At 10:30 p.m., Motion by Niederer, seconded by Sandahl to adjourn the meeting.

MOTION UNANIMOUSLY CARRIED

ANNETTE C. BIELAWSKI
MUNICIPAL CLERK