

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

Monday, March 28, 2005 - 7:14 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 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 25, 2004 Regular Meeting as submitted.

MOTION UNANIMOUSLY CARRIED

ABSTAIN: Iorio, Niederer

PRESENTATION/REVALUATION PROCESS

Hopewell Township Tax Assessor Antoinette Sost was present. Ms. Sost noted that Mercer County has mandated Hopewell Township to perform a revaluation of all real property, and the township has contracted Certified Valuations, Inc. to perform the work, together with Commercial Appraiser Peter Sockler. She introduced Mercer County Tax Administrator Martin Guhl, Peter Sockler, and Ted Lamicella, Project Director for Certified Valuations. Mr. Lamicella explained the process to revalue all real property in Hopewell Township at 100 percent of market value. He noted that the purpose of the revaluation is not to increase revenue but to redistribute taxes so everyone is paying their fair share. Mr. Lamicella explained that notification will be sent to each property owner approximately two weeks prior to the interior and exterior inspection of the property. All inspectors will carry an ID issued by the township Police Department and an introductory letter. Upon completion of the site inspections, an analysis will be performed to establish market value using comparable sales within neighborhoods. On or about October 1, 2005, initial, preliminary valuation letters will be mailed stating the proposed 2006 assessment. Property owners will have an opportunity to review the calculation with a representative of Certified Valuations. If the property owner disputes the assessment he may state the reasons at such meeting. Further appeals must be submitted by the property owner by April 1, 2006, to the Mercer County Board of Taxation. Mr. Lamicella indicated that the procedure is similar for commercial properties.

Committee members questioned Mr. Lamicella as to the following: commencement of inspections, signature requirement following site inspections, length of time at a property, date of last revaluation, potential changes in commercial and residential property values and

other municipalities performing revaluations. Mr. Guhl informed that Plainsboro Township has recently completed a revaluation performed by Certified Valuations, and that West Windsor Township, the Boroughs of Hopewell and Pennington, and Washington Township have been ordered to perform revaluations. Mr. Guhl further explained that any tax adjustment would apply in the second half of the year 2006.

Mr. Sockler explained the appraisal process on commercial properties and noted that he will be working on approximately 31 of the largest commercial rateables.

Mayor Kemp open discussion to the public.

Margaret Keegan, a resident of Cherokee Drive, questioned the need for an appraisal on her property insofar as such was recently completed for refinancing purposes.

Dietrich Wahlers, a resident of Marshall's Corner-Woodsville Road, expressed his opinion that it is the responsibility of the governing body to perform revaluations and he questioned computer software for reassessment purposes.

Severino DiCocco, a resident of Poor Farm Road, questioned photo ID cards for inspectors, and neighborhood boundaries.

Robert Beyer, a resident of Route 31 South, asked if the revaluation would result in an increase or decrease to the municipal open space tax rate as well as the fire tax, etc.

Jean Weasner, a resident of Route 31, asked if the age and location of properties would be considered in the appraisal process.

Mayor Kemp thanked Ms. Sost and Messrs. Guhl, Sockler and Lamicella for their presentation.

PRESENTATION/CHARTER STUDY COMMISSION

Charter Study Commission Chair James McGuire appeared before the Committee and presented a status report on the progress of the Charter Study. He reported that Phase 1, a study of the current Hopewell Township government, is nearly complete. The Commission has met with Township Committee members, township professionals, department heads, and the heads of various boards, committees and commissions. Certain findings included township departments mandated by law and professionals required to maintain certifications, and a degree of continuity. He noted that there is not the same degree of continuity of government in the elected Committee. Mr. McGuire stated that a public hearing is scheduled for April 12 in the municipal building on the Phase 1 findings. The second phase will consider options and the third phase will consider recommendations. On April 18 Professor Ernest Reock from the Rutgers University Bureau of Government Research will present an overview of alternate forms of government and the public is welcome to attend. Mr. McGuire introduced Charter Study Commission members present in the audience that included Vice Chair Patricia Tieman, and Jon Edwards, and Secretary Deborah Rishko.

Mayor Kemp thanked Mr. McGuire and members of the Commission for the update.

PRESENTATION/WASTEWATER MANAGEMENT PLAN AMENDMENTS HEARING

Mr. Goodell noted that the Hopewell Township Wastewater Management Plan (WMP) is part of the area-wide Water Quality Management Plan of Mercer County and consists of a series of maps as to sites designated for wastewater treatment. He explained that proposed amendments to the WMP have been recommended by the Township Engineer, and that

subsequent to endorsement by the Township Committee, the process includes submission of the amendments for review and approval by the Mercer County Planning Board, the Mercer County Executive and the NJDEP Commissioner. Mr. Goodell noted that this was the first of two public hearings on the proposed amendments and that questions may be submitted in writing to the township.

Mr. Pogorzelski gave a power point presentation on his report entitled "Recommendations for Wastewater Planning," dated November 8, 2004, noting that the report is available on the township's website. He pointed out existing wastewater facilities and service areas on a displayed map and noted a 2000 settlement agreement with the Ewing-Lawrence Sewerage Authority (ELSA) that obligated Hopewell Township to remove all ELSA sewer services areas that do not have contractual capacity within the ELSA facility. He further highlighted properties that were recommended to remain designated sewer service areas despite the settlement agreement due to water quality issues in such areas. All existing areas serviced by public sewer should remain so designated, unless otherwise recommended in the proposal. All areas that are the subject of new planning that result in development densities in excess of current zoning for single family lots with wells and septic systems should be considered for public service. It is recommended that the existing designated area of Titusville be deleted from the ELSA sewer service area. Mr. Pogorzelski pointed out the Areas of Concern designated for public sewers that included North Main Street and Pennington Point West. He added that the Mount Rose Area of Concern should be designated as a Stony Brook Regional Sewerage Authority (SBRSA) sewer service area.

Committee members discussed the proposed recommendations for wastewater planning including the influence of hydrogeological characteristics relative to lot size; the process as to implementation of the plan; geologic characteristics in problem areas; alternative septic system technology; and public water for areas designated for public sewer service.

Mayor Kemp declared the public hearing open.

Thurman Gates, owner of properties on Reed Road and River Drive, questioned the inclusion of his Reed Road property as a designated sewer service area and urged the inclusion of the same in the wastewater management plan.

Rich Israel, division counsel for Beazer Homes, pointed out tracts proposed for development by Beazer and he discussed the collaborative process with area residents concerning the development. He urged that the current sewer service areas at the proposed Beazer development sites be maintained.

Ken Mather, proprietor of Wildflowers Inn located at the Pennington Circle, questioned the time frame for installation of a sewer line to his property.

Ted Stiles, a resident of Harbourton-Woodsville Road and Chair of the township's Environmental Commission, stated he supported the Township Engineer's plan and expressed his hope for modifications. He suggested that a fiscal analysis be performed with respect to the proposed Beazer development.

William Schoelwer, a resident of Westcott Boulevard, questioned the time frame for final approval of the Wastewater Management Plan amendments. He also questioned the exclusion of the Penn View Heights area from the proposed sewer service area.

Bruce Weingartner, a resident of County Route 546, voiced a complaint over the exclusion of areas of Route 546 from the sewer service area.

Rick Eldridge, a resident of County Route 546, asked that his property be included in the proposed sewer service area.

Jean Weasner commented on the areas outlined in yellow on the map and suggested that the same be considered for a sewer treatment plant if financially feasible.

Harold Nedling, a resident of Reed Road, asked that the Township Committee consider sewer service for residents on undersized lots at this time rather than undeveloped lots.

Toni Henson, a resident of Pennington Road, commended the Township Committee for its work and the number of public meetings held on this issue and she expressed support for the proposal.

Morris Fabian, owner of an undersized lot on Beech Street, expressed support for the proposed Wastewater Plan amendments and he commended the Township Committee and the Engineer for their efforts on behalf of the residents.

Frank Klapinski, a resident of Orchard Avenue, commended the Township Committee, the Planning Board and representatives of Beazer Homes for consideration to the residents in the southern tier, and he expressed support for the proposed Wastewater Management Plan amendments.

Mayor Kemp advised that the public hearing on the Wastewater Management Plan amendments would be continued to a date to be announced, and that written comments may be submitted to the township through April 8, 2005. She thanked everyone for their participation and comments.

ADDITIONAL ITEMS FOR MEETING AGENDA

Mayor Kemp advised that the following resolutions would be added to the agenda for Committee consideration: 1) a resolution extending the appointment of Michael Hritz as part-time Recreation Director; 2) a resolution amending the 2005 professional services agreement for Mason, Griffon & Pierson; 3) a resolution to form a task force for long term budgeting; and 4) a resolution to form a task force on Hopewell Township municipal revenues.

MOTION

Motion was made by Sandahl, seconded by Iorio to add the aforementioned items to the scheduled agenda. **MOTION UNANIMOUSLY CARRIED**

Mr. Goodell advised of an ordinance for introduction to be added to the scheduled agenda entitled, "An ordinance granting Title 39 jurisdiction to the Township of Hopewell for the parking areas and roadways located at the project known as "Hopewell Crossing."

COMMITTEE MEMBER AND STAFF REPORTS

Committee Member Niederer reported on Public Works Department activities that included brush and bulky waste pick up; tree trimming, road patching; and stormwater drain and ditch cleaning.

Committee Member Iorio announced that a Business Alliance meeting is scheduled for Monday, April 4, at Bristol-Myers Squibb. He reported on a meeting with Hopewell Borough representatives concerning interlocal agreement issues, and continuing discussion with Pennington Borough with respect to interlocal issues. He solicited volunteer members for the Youth Advisory Committee and indicated that resumes should be submitted to the Township Clerk.

Committee Member Sandahl reported on a recent meeting of the township's Planning Board. He reported on the submission of a bikeways grant application to link the proposed Hopewell-Lawrence Trail to Pennington Borough and the Municipal Athletic Complex.

Mr. McDonough reported on research on modular homes in connection with the township's Affordable Housing Program in addition to a potential school contest for open space signage.

Mr. Pogorzelski reported on the status of bids for Denow Road traffic calming and upcoming 2006 trust fund grant applications.

PUBLIC SECTION

William Schoelwer questioned the process for pick up of dead deer along roadways within Hopewell Township; pick up and delivery of township mail by police officers; deterioration of a house on the Else tract; and senior housing issues.

Committee Member Sandom interjected and questioned the status of sewer system repair issues in Princeton Farms. Mr. Pogorzelski responded that there have been problems with the new meter and that the SBRSA has indicated that it is willing to undertake replacement of the meter. He indicated that further repairs in the system will be performed once the capital budget is in place and the project can be bid.

Severino DiCocco distributed a report he had generated concerning the Hopewell Valley Senior Center located in Pennington Borough.

ORDINANCE - INTRODUCTION AND FIRST READING

Mayor Kemp read by title the ordinance for introduction:

AN ORDINANCE GRANTING TITLE 39 JURISDICTION TO THE TOWNSHIP OF HOPEWELL FOR THE PARKING AREAS AND ROADWAYS LOCATED AT THE PROJECT KNOWN AS "HOPEWELL CROSSING"

Mr. Goodell explained that the proposed ordinance was required by the township's Planning Board as a condition of development and permits the Township to assert Title 39 jurisdiction over the roadways and parking areas located at the Hopewell Crossing Shopping Center located at Route 31 and Denow Road.

Motion by Sandahl, 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 April 11, 2005, at 7:00 p.m.

ORDINANCE - FINAL READING, PUBLIC HEARING

Mayor Kemp read by title the introduced ordinance:

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"

Mayor Kemp advised that action on the aforementioned ordinance would be held to the next regular Township Committee meeting.

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

Mayor Kemp stated that the public hearing would be continued to the April 11, 2005 Committee meeting.

CONSENT AGENDA ITEMS

RESOLUTIONS #05-94 THROUGH #05-98. Read by title.

Motion by Sandahl, seconded by Sandom to adopt Resolutions #05-94 through #05-98.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-94

**A RESOLUTION AUTHORIZING
REFUNDS FROM HOPEWELL TOWNSHIP
FOR 2005 TAXES PAID IN ERROR**

WHEREAS, the Tax Collector has determined that erroneous tax payments have been made;

NOW, THEREFORE, BE IT RESOLVED, on this 28th day of March 2005, 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 of 2005 taxes paid in error.

BLOCK	LOT	REFUND TO	AMOUNT
78.43	1 C065	Hunt Thomas & Masten Ellen M 215 Brinley Dr Pennington, NJ 08534 Overpmt 2 nd qtr	\$828.90

R E S O L U T I O N #05-95

**A RESOLUTION AUTHORIZING
REFUNDS FROM HOPEWELL TOWNSHIP
FOR OVERPAYMENT OF 2005 TAXES**

WHEREAS, the Tax Collector has determined that overpayment of 2005 tax payments has been made;

NOW, THEREFORE, BE IT RESOLVED, on this 28th day of March 2005, 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 2005 taxes.

BLOCK	LOT	REFUND TO	AMOUNT
62.01	80.07	High Pte @Hopewell LLC c/o Toll Bros 3103 Philmont Ave Huntington Valley, PA 19006	\$1344.99

Parcel zero assessed for 2005

40	14	Carter Rd. LLC c/o D&T/K Fahey Two World Financial Ctr New York, NY 10281 Parcel zero assessed for 2005	\$1980.57
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RESOLUTION #05-96

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 28th day of March 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That Temporary CO Engineering Bond money (\$9,600.00) and Driveway Bond money (\$1,000.00) for Block 46, Lot 9.31, posted on 1/11/99 by Palomar Associates, Inc., 10 Allerton Road, Lebanon, NJ 08833 be and is hereby released.
2. That Building Bond money (\$1,000.00) for Block 78, Lot 10.02 (C124), (Bldg.#22), posted on 2/23/05 by Beazer Homes, 250 Phillips Blvd., Suite 290, Trenton, NJ 08618 be and is hereby released.
3. That Engineering Bond money (\$2,100.00) for Block 78.43, Lots 1 (C23, 24, 25, 26), (Bldg. #5), posted on 6/24/03 by Beazer Homes, 250 Phillips Blvd., Suite 290, Trenton, NJ 08618 be and is hereby released.
4. That Building Bond money (\$10,000.00) for Bock 62.01, Lot 80.10, posted on 4/5/04 by Toll Bros., Inc., 250 Gibraltar Road, Horsham, PA 19044 be and is hereby released.
5. That Engineering Bond money (\$230.00) for Block 39.02, Lot 9.36, posted on 11/20/01 by Toll Bros., Inc., 250 Gibraltar Road, Horsham, PA 19044 be and is hereby released.
6. That Engineering Bond money (\$2,100.00) for Block 78.43, Lot 1 (C27, 28, 29, 30), (Bldg.#6), posted on 6/24/03 by Beazer Homes, 250 Phillips Blvd., Suite 290, Trenton, NJ 08618 be and is hereby released.
7. That Engineering Bond money (\$10,875.00) for Block 46, Lot 9.21 posted on 1/16/97 by Palomar Associates, Inc., 10 Allerton Road, Lebanon, NJ 08833 be and is hereby released.
8. That Engineering Bond money (\$241.50) for Block 72, Lot 7.17 posted on 6/14/04 by Zaveta Construction Co., Inc., 4030 Sky Run Dr., Suite H, Doylestown, PA 18901.
9. That Engineering Bond money (\$3,200.00) for Block 78.43, Lot 1 (C31, 32, 33, 34), (Bldg.#7), posted on 7/23/03 by Beazer Homes, 250 Phillips Blvd., Suite 290, Trenton, NJ 08618 be and is hereby released.
10. That Engineering Bond money (\$1,600.00) for Block 78.43, Lot 1 (C45, 46, 47, 48), (Bldg.#10), posted on 9/25/03 by Beazer Homes, 250 Phillips Blvd., Suite 290, Trenton, NJ 08618 be and is hereby released.
11. That Engineering Bond money (\$2,100.00) for Block 78.43, Lot 1 (C41, 42, 43, 44), (Bldg.#9), posted on 9/16/03 by Beazer Homes, 250 Phillips Blvd., Suite 290, Trenton, NJ 08618 be and is hereby released.

RESOLUTION #05-97

**A RESOLUTION AUTHORIZING THE
TOWNSHIP OF HOPEWELL TO APPLY
FOR A 2004 RECYCLING GRANT**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection and Energy is promulgating recycling regulations to implement the mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Township Committee of the Township of Hopewell to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED on this 28th day of March 2005, by the Township Committee of the Township of Hopewell that Hopewell Township hereby endorses the submission of a municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and Energy and designates Rose Tkacs Recycling Coordinator to ensure that the said application is properly filed.

R E S O L U T I O N #05-98

**A RESOLUTION PROVIDING FOR
CROSS-ASSIGNMENT OF ALTERNATE
HOPEWELL TOWNSHIP MUNICIPAL PROSECUTORS**

BE IT RESOLVED, on this 28th day of March 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that in accordance with N.J.S.A. 2B:24-4e the Township of Hopewell hereby designates alternate municipal prosecutors to serve in the absence of the appointed Municipal Prosecutor. The municipal prosecutor may arrange for the following municipal prosecutors noted below who are duly appointed as Municipal Prosecutor in any Municipal Court in the County of Mercer in accordance with N.J.S.A. 2B:25-4a, and who satisfies the requirements of State v. Clark, 162 N.J. 201 (2000) and R. 1:15-3b to serve as alternate prosecutor.

Angelo Onofri, Esq.	Mercer County Prosecutor Office
John Jingoli, Esq.	Mercer County Prosecutor Office
Sahbra Jacobs, Esq.	East Windsor Municipal Prosecutor
Renee LaMarre-Summers, Esq.	Ewing Township Municipal Prosecutor
Carl Tanksley, Esq.	Ewing Township Municipal Prosecutor
Arune Lavine, Esq.	Hamilton Township Municipal Prosecutor
Edward Hunter, Esq.	Hopewell Borough Municipal Prosecutor
Robert Rubenstein, Esq.	Lawrence Township Municipal Prosecutor
Craig Hubert, Esq.	Pennington Borough Municipal Prosecutor
Kim Otis, Esq.	Princeton Borough Municipal Prosecutor
Ashley Hutchinson, Esq.	Washington Township Municipal Prosecutor
Lyle Hough, Esq.	Trenton Municipal Prosecutor
Lenore Hannah, Esq.	Trenton Municipal Prosecutor
Bertha Scott, Esq.	Trenton Municipal Prosecutor

RESOLUTION #05-99. Read by title.
Motion by Sandahl, seconded by Niederer to adopt Resolution #05-99.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-99

**A RESOLUTION AUTHORIZING
PROFESSIONAL SERVICES AGREEMENT
(SANDSTONE ENVIRONMENTAL ASSOCIATES, INC.)**

WHEREAS, there exists a need for professional services for air quality and noise study consulting services; and

WHEREAS, the maximum amount of the contract is \$5,000.00 for such services and funds will be available in the 2005 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 agreement with:

Sandstone Environmental Associates, Inc., 24 N. Third Avenue, Suite 203B, Highland Park, NJ 08904 for Air Quality and Noise Study Consulting Services.

2. This contract is 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 #05-100. Read by title.
Motion by Sandahl, seconded by Iorio to adopt Resolution #05-100.

ROLL CALL VOTE:

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

NOES: None

R E S O L U T I O N #05-100

**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 \$2,632,200.00;

NOW, THEREFORE, BE IT RESOLVED, on this 28th 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:

Finance O/E	5,300.00
TOTAL	5,300.00
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.

PROPOSED RESOLUTION/APPROVING DEVELOPER'S CONSTRUCTION AGREEMENT BETWEEN THE TOWNSHIP OF HOPEWELL AND BRISTOL-MYERS SQUIBB COMPANY

Mayor Kemp advised that the scheduled Resolution Approving Developer's Construction Agreement between the Township of Hopewell and Bristol-Myers Squibb Company - Building 27, Block 46, Lot 8.01 would be held to the next meeting.

RESOLUTION #05-101. Read by title.

Motion by Sandom, seconded by Niederer to adopt Resolution #05-101.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-101

A RESOLUTION AUTHORIZING THE TOWNSHIP HEALTH OFFICER TO SIGN CERTAIN APPLICATIONS

WHEREAS, it is necessary to authorize an official to sign certain applications on behalf of Hopewell Township.

NOW, THEREFORE, BE IT RESOLVED on this 28th day of March 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that Gary A. Guarino be authorized to sign the following application:

- 1) NJDEP Treatment Works Application 003 Consent Form for ShopRite Supermarkets.

BE IT FURTHER RESOLVED that the authorization of the Health Officer to sign the application is limited for repairs to an existing system.

RESOLUTION #05-102. Read by title.

Motion by Sandom, seconded by Niederer to adopt Resolution #05-102.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-102

**A RESOLUTION APPOINTING
MAXIMILLIAN HAYDEN, III AS CLASS A
MEMBER TO THE HOPEWELL TOWNSHIP
HISTORIC PRESERVATION COMMISSION**

BE IT RESOLVED, on this 28th day of March 2005, that I, Mayor Arlene A. Kemp, with the advice and consent of the Township Committee of the Township of Hopewell, do hereby appoint Maximillian Hayden, III, as Class A member of the Historic Preservation Commission to an unexpired term expiring December 31, 2008.

RESOLUTION #05-103. Read by title.

Committee Member Niederer questioned the language of the proposed resolution with regard to the Township Committee "approving" the design and construction of the skate park facility, etc. Counsel advised that the language be amended to replace the word "approving" to "accepting" in the title and body of the proposed resolution.

Mayor Kemp raised the issue of skate park user registration as suggested by the Joint Insurance Fund. Committee Member Niederer indicated that registration was not addressed in the rules and regulations and should be the subject of a future meeting. It was determined to take action on the proposed resolution at this time and that a meeting be scheduled with the Administrator, Recreation Director, and representatives from the skating community, township Police Department, and Township Committee to discuss the issue of registration for users of the skate park.

Motion by Niederer, seconded by Sandahl to adopt Resolution #05-103 as amended.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-103

**A RESOLUTION ACCEPTING THE DESIGN AND
CONSTRUCTION OF A SKATE PARK FACILITY AND
THE ADOPTION OF RULES, REGULATIONS, AND
SIGNAGE WHICH INCLUDE THE MANDATORY
USE OF SAFETY EQUIPMENT**

WHEREAS, various insurance and safety guidelines for the skate park facility have been forwarded to the Township Committee for review by the Municipal Excess Liability Joint Insurance Fund; and

WHEREAS, it is necessary to adopt a Resolution incorporating various approvals of and requirements for the skate park facility.

NOW, THEREFORE, BE IT RESOLVED, on this 28th day of March 2005, by the Township Committee of the Township of Hopewell in the County of Mercer, State of New Jersey as follows:

Section 1. The Hopewell Township Committee hereby accepts the design and construction of the skate park facility which is in compliance with the insurance regulations of the Municipal Excess Liability Joint Insurance Fund.

Section 2. The Hopewell Township Committee hereby accepts rules and regulations, as established and submitted by the Recreation Director, that allow for the skate park to be unsupervised but set forth a series of safety guidelines.

Section 3. The Hopewell Township Committee hereby requires that a sign shall be posted at the skate park facility which clearly sets forth these rules and regulations, and shall specifically require participants to wear safety equipment including helmets, elbow and knee pads.

Section 4. The Hopewell Township Committee hereby authorizes that any and all documents that are required or further work needed to implement the provisions of this Resolution shall be done by the Recreation Director and/or appropriate Township officials and staff.

RESOLUTION #05-104. Read by title.

Motion by Niederer, seconded by Sandom to adopt Resolution #05-104.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-104

**A RESOLUTION EXTENDING THE
APPOINTMENT OF MICHAEL HRITZ AS TEMPORARY
PART-TIME RECREATION DIRECTOR**

WHEREAS, on December 20, 2004, the Township Committee adopted Resolution #04-395, appointing Michael Hritz as temporary part-time recreation Director; and

WHEREAS, the resolution limited the appointment to a three month period or \$4,000; and

WHEREAS, it is necessary to extend Michael Hritz's appointment.

NOW, THEREFORE, BE IT RESOLVED on this 28th day of March 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that Michael Hritz's appointment is extended two months or an amount not to exceed \$3,000.

RESOLUTION #05-105. Read by title.

Motion by Niederer, seconded by Sandahl to adopt Resolution #05-105.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-105

A RESOLUTION AMENDING 2005 PROFESSIONAL SERVICES AGREEMENT

WHEREAS, the Township entered into a Professional Services Agreement with the firm noted below for the year 2005; and

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

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

NOW, THEREFORE, BE IT RESOLVED on this 28th day of March 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the 2005 Professional Services Agreement be and hereby is amended as follows:

FIRM	CURRENT MAXIMUM	PROPOSED MAXIMUM
Mason Griffin and Pierson (General Legal)	\$15,000.00	\$65,000.00

RESOLUTION #05-106. Read by title.

Motion by Sandahl, seconded by Niederer to adopt Resolution #05-106.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-106

A RESOLUTION TO FORM A TASK FORCE ON LONG-TERM BUDGETING FOR HOPEWELL TOWNSHIP

WHEREAS, ongoing demands for public spending are forecast to put continuing upward pressure on municipal tax rates; and

WHEREAS, despite spending restraints applied to the Township budget, the municipal tax rate paid by Hopewell Township taxpayers has increased by more than 25% in the past two years; and

WHEREAS, Hopewell Township is required by State statutes to provide certain mandatory services and offices; and

WHEREAS, employment, pension, health benefit, material and fuel costs included in the Hopewell Township budget are forecast to increase;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hopewell that a Mayor's Task Force on Long-Range Budgeting for Hopewell Township be formed; and

BE IT FURTHER RESOLVED that the specific mission of the Task Force on

Long-Range Budgeting for Hopewell Township is to develop a forecast of municipal spending, revenue, and surplus for the next three years, 2006 to 2008, to include estimates for all major departments and categories of spending and revenue; and

BE IT FURTHER RESOLVED that the Task Force on Long-Range Budgeting for Hopewell Township coordinate its activities through the Hopewell Township Finance Committee; and

BE IT FURTHER RESOLVED that the Task Force on Long-Range Budgeting for Hopewell Township complete its analysis and make recommendations to the Hopewell Township Committee no later than November 14, 2005.

RESOLUTION #05-107. Read by title.

Motion by Sandahl, seconded by Iorio to adopt Resolution #05-107.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-107

A RESOLUTION TO FORM A TASK FORCE ON HOPEWELL TOWNSHIP MUNICIPAL REVENUES

WHEREAS, the Hopewell Township Committee depends heavily on the municipal property tax to finance its ongoing operations; and

WHEREAS, despite spending restraints applied to the Township budget, the municipal tax rate paid by Hopewell Township taxpayers has increased by more than 25% in the past two years; and

WHEREAS, ongoing demands for public spending are forecast to put continuing upward pressure on municipal tax rates; and

WHEREAS, widespread concerns about municipal spending and uses of local property tax have led the State of New Jersey to undertake a critical review of the property tax burden; and

WHEREAS, revenues and fees collected by Hopewell Township should accurately reflect and recapture the cost of municipal services provided;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hopewell that a Mayor's Task Force on Hopewell Township Municipal Revenues be formed; and

BE IT FURTHER RESOLVED that the specific mission of the Task Force on Hopewell Township Municipal Revenues is to review all sources of municipal revenue and to recommend such changes as may be deemed appropriate and necessary to maintain the long-term fiscal health of the Township; and

BE IT FURTHER RESOLVED that the Task Force on Hopewell Township Municipal Revenues coordinates its activities through the Hopewell Township Finance Committee; and

BE IT FURTHER RESOLVED that the Task Force on Hopewell Township Municipal Revenues complete its review and make its recommendations to the Hopewell Township Committee no later than November 15, 2005.

RESOLUTION #05-108. Read by title.

Motion by Sandom, seconded by Niederer to adopt Resolution #05-108.

ROLL CALL VOTE:

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

NOES: None

R E S O L U T I O N #05-108

BILLS & CLAIMS

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment dated March 28, 2005, in the following amounts:

Bills and Claims	-	\$3,952,743.45
Payroll	-	\$ 340,252.35
Pension Transfer	-	\$ 101,310.00
Total Disbursements	-	\$4,394,305.80

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

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 Iorio 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 and 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 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 28th 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 10:26 p.m. the Executive Session was held.

At 11:45 p.m., Motion by Sandahl, seconded by Iorio to adjourn the meeting. **MOTION UNANIMOUSLY CARRIED**

ANNETTE C. BIELAWSKI
MUNICIPAL CLERK