

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

Tuesday, October 10, 2006 - 7:15 p.m.

PROPER STATEMENT OF NOTICE - Mayor Sandom 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, 2006 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, Sandahl, Mayor Sandom
Murphy (arrived at 7:17 p.m.)

ABSENT: None

STAFF PRESENT: Administrator Hilling, Township Attorney Goodell, Municipal Clerk Bielawski, CFO Borges

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

APPROVAL OF MINUTES

Motion by Sandahl, seconded by Iorio to approve the Minutes of the Special Executive Session Meeting of March 27, 2006, the Regular and Executive Session Meetings of March 27, 2006, the Agenda and Executive Session Meetings of April 3, 2006 and the Special Meeting of April 3, 2006 as submitted.

ABSTAIN: Murphy (Special Executive Session March 27, 2006)

MOTION CARRIED

ADDITIONAL ITEMS FOR MEETING AGENDA

Committee Member Sandahl offered a resolution of commendation for Dr. Robert O'Boyle of the Hopewell Valley Regional School District to be added to the agenda. Motion was made by Murphy, seconded by Iorio to add the proposed resolution to the agenda.

MOTION UNANIMOUSLY CARRIED

COMMITTEE MEMBERS AND STAFF REPORTS

Committee Member Niederer reported that the Affordable Housing Committee met two weeks ago at the Hopewell Gardens affordable housing facility for seniors 55 years and older located on Denow Road. She added that the sub-committee of the Affordable Housing Group was to meet the following night to discuss the possibilities of locating an affordable unit at the Minnietown Lane site. Committee Member Niederer also reported that the Historic Preservation Commission is drafting ordinances for historic site designation. She stated that the police department has reported theft of wallets from shopping carts at supermarkets and reminded everyone not to leave handbags unattended in a shopping cart. Committee Member Niederer reported on the Harvest Fair. She noted that children were able to have their picture taken in a police car wearing a police hat and shirt, and she thanked the PBA for supplying the film.

Committee Member Murphy reported that the fall/winter Recreation Program Guide has been mailed and if anyone has not received one to contact the Recreation Department. He announced that there will be a free clinic for elementary school girls interested in field hockey on October 14, 2006 and the fall senior citizen birthday breakfast is Friday, November 3, 2006. Committee Member Murphy also reported on an application submitted in response to a Mercer County grant for funding recreation projects. He explained it was a joint application with Hopewell and Pennington Boroughs in addition to Lawrence Township to build fields at the Twin Pines Airport site, also known as the Weasner property.

Committee Member Sandahl reported that the Application Review Committee's meeting was cancelled today and rescheduled for October 17, 2006. He also reported that the next Planning Board meeting is October 26, 2006.

Committee Member Iorio reported that the Youth Advisory Board meeting is scheduled October 18, 2006 at the high school and Recreation Director Hritz will be the speaker. He also reported the Hopewell Valley Business Alliance Partnership meeting has not been rescheduled for October as of this date. Committee Member Iorio noted the next Open Space Advisory Committee meeting is October 19, 2006 and the next Agricultural Advisory Committee meeting is November 7, 2006.

Mr. Hilling announced that the Veteran's Day service will be held on Saturday, November 11, 2006 at 11:00 a.m. at the future site of the Veteran's Memorial. He also stated that the Mayor's Breakfast is scheduled Saturday at the Hopewell Valley Golf Course and the guest speaker will be Mercer County Executive Brian Hughes.

Mr. Goodell reported that he and Mr. Pogorzelski would be in court the following day for the sewer service matter brought by Hovnanian against ELSA with Hopewell joined as an interested party.

Ms. Bielawski stated that Tuesday, October 17, 2006 is the last day to register to vote or change address for the November 7, 2006 general election and that October 31, 2006 is the last day to apply for an absentee ballot by mail.

PUBLIC SECTION

No comments from the public.

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Sandom read by title the introduced ordinance:

**AN ORDINANCE AMENDING CHAPTER X,
"FEES AND PERMITS," SECTION 10-3.9,
"UNIFORM FIRE SAFETY CODE FEES,"
SECTION 10-3.10, "UNIFORM FIRE SAFETY
CODE FEES FOR NONLIFE HAZARD USE
INSPECTIONS," AND SECTION 10-5.7, "VACCINATION,"
OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF HOPEWELL, NEW JERSEY (1978)**

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

Motion by Niederer, seconded by Murphy to close public hearing.

MOTION UNANIMOUSLY CARRIED

Motion by Sandahl, seconded by Niederer to adopt the introduced ordinance.

ROLL CALL VOTE:

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

NOES: None

ORDINANCE ADOPTED

Ordinance advertised September 28, 2006 Hopewell Valley News. Posted municipal bulletin board as required by law.

ORDINANCE NO. 06-1378

**AN ORDINANCE AMENDING CHAPTER X,
"FEES AND PERMITS," SECTION 10-3.9,
"UNIFORM FIRE SAFETY CODE FEES,"
SECTION 10-3.10, "UNIFORM FIRE SAFETY
CODE FEES FOR NONLIFE HAZARD USE
INSPECTIONS," AND SECTION 10-5.7, "VACCINATION,"
OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF HOPEWELL, NEW JERSEY (1978)**

BE IT ORDAINED by the Township Committee of the Township of Hopewell, Mercer County, New Jersey, that Section 10-3.9, "Uniform Fire Safety Code Fees," Section 10-3.10, "Uniform Fire Safety Code Fees for Nonlife Hazard Use Inspections, and Section 10-5.7, "Vaccination," are hereby amended as follows (additions are underlined, deletions are shown in ~~strikeout~~):

10-3.9 **Uniform Fire Safety Code Fees.** ~~The following permit fees are authorized by the Uniform Fire Safety Code (P.L. 1983, c.383):~~ Uniform Fire Safety Code Permit Fees shall be in the amounts as prescribed in the New Jersey Uniform Fire Code.

Type 1 Permit:	\$35.00
Type 2 Permit:	\$138.00
Type 3 Permit:	\$276.00
Type 4 Permit:	\$414.00
Type 5 Permit:	\$1,380.00

(~~Ord. #703-86, § 1; Ord. #95-1013, §2~~)

10-3.10 **Uniform Fire Safety Code Fees for Nonlife hazard Use Inspections.**

a. Industrial and commercial uses not classified as "life hazard uses" by the Uniform Fire Safety Code having a gross floor area of:

	Fee
Under 1,000 square feet.....	\$25.00
1,000 square feet to 5,999 square feet.....	\$50.00
6,000 square feet to 9,999 square feet.....	\$75.00
9,999 square feet or above.....	\$100.00

The payment of the above fees shall be the responsibility of occupant of the premises.

~~b. Multiple family dwellings:~~

Three to five units	\$15.00
Six to twenty five units.....	\$50.00
Twenty five units and above.....	\$200.00

~~The payment of the above fees shall be the responsibility of owner of the premises.~~

The above described fees shall be paid by the party as designated above on or before the date specified in the notice served upon said party by the fire official, which date shall be at least 30 days from the date of the notice.

10-5.7 **Vaccination.**

Pneumonia vaccination [(non-Medicare)]	\$10.00 \$20.00
Influenza vaccination (if not senior[or high risk])	\$10.00
Hepatitis B (adult) per dose	\$30.00
Hepatitis B (child - 18 years) per dose	\$10.00
Hepatitis A (adult) per dose	\$35.00
MMR (per dose)	\$30.00
Varicella	\$50.00
Lyme vaccine per dose.....	\$50.00
Td (adult)	No charge \$20.00
Colon-Rectal Kit.....	\$3.00
Blood lead test (non-medical)	\$3.00
Cholesterol testing.....	\$5.00
Medical waste containers.....	\$8.00

Fees may be waived for low income, uninsured, Medicaid, Medicare or special programs offered by health department.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Sandom read by title the introduced ordinance:

**AN ORDINANCE AMENDING CHAPTER III,
"LAW ENFORCEMENT REGULATIONS," SECTION 3-15,
"PARKING PROHIBITED IN FIRE LANES," OF
THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF HOPEWELL, NEW JERSEY (1978)**

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

Motion by Sandahl, seconded by Iorio to close public hearing.

MOTION UNANIMOUSLY CARRIED

Motion by Sandahl, seconded by Iorio to adopt the introduced ordinance.

ROLL CALL VOTE:

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

NOES: None

ORDINANCE ADOPTED

Ordinance advertised September 28, 2006 Hopewell Valley News. Posted municipal bulletin board as required by law.

ORDINANCE NO. 06-1379

**AN ORDINANCE AMENDING CHAPTER III,
"LAW ENFORCEMENT REGULATIONS," SECTION 3-15,
"PARKING PROHIBITED IN FIRE LANES," OF
THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF HOPEWELL, NEW JERSEY (1978)**

BE IT ORDAINED by the Township Committee of the Township of Hopewell, Mercer County, New Jersey, that Section 3-15, "Parking Prohibited In Fire Lanes," is hereby amended as follows (additions are underlined, deletions are shown in ~~strikeout~~):

3-15 PARKING PROHIBITED IN FIRE LANES

~~No person shall park a motor vehicle in or otherwise obstruct a fire lane as designated by the township fire officials in accordance with N.J.A.C. 5:18-3.2(a), and in accordance with schedule A annexed to and made part of this section.~~

3-15.1 Authority to Establish. The Fire Official is authorized, by the Uniform Fire Code N.J.A.C. 5:70-3.1(a)3,F-311.0, to establish fire lanes on properties in the Township of Hopewell where the operation and parking of motor vehicles or creating other similar obstruction would interfere with adequate ingress, egress and operation of fire fighting equipment or other emergency vehicles.

3-15.2 Regulations for Operation of Vehicles. The Hopewell Valley Bureau of Fire Safety is further authorized to promulgate regulations limiting, restricting, or prohibiting the operation of motor vehicles to be established pursuant to subsection 3-15.1.

3-15.3 Violations and Penalties. Any person who violates any provision of this section shall be liable, upon conviction thereof, to a fine of sixty one dollars (\$61.00) for the first offense and, for subsequent offense, a fine of at least sixty one dollars (\$61.00) and up to 90 days community service on such terms and in such form as the Municipal Judge shall deem appropriate, or any combination thereof.

3-15.4 Removal of Vehicle. Township Police and Fire Code Enforcement Officials acting within their official capacity shall have the power to order removed any vehicle violating this section, and the owner shall be responsible for any towing or related fees incurred, as well as penalties for violations of this section.

a. Procedure. The removal of vehicles pursuant to section 3-5.4 shall follow the policies and procedures established by the Hopewell Township Police Department.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.

ORDINANCE - FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Sandom read by title the introduced ordinance:

**AN ORDINANCE AMENDING CHAPTER IX,
"UNIFORM FIRE SAFETY CODE," OF THE
REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF HOPEWELL, NEW JERSEY (1978)**

Mayor Sandom declared public hearing open. No comments from the public.
Motion by Sandahl, seconded by Iorio to close public hearing.

MOTION UNANIMOUSLY CARRIED

Motion by Sandahl, seconded by Iorio to adopt the introduced ordinance.

ROLL CALL VOTE:

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

NOES: None

ORDINANCE ADOPTED

Ordinance advertised September 28, 2006 Hopewell Valley News. Posted municipal bulletin board as required by law.

ORDINANCE NO. 06-1380

**AN ORDINANCE AMENDING CHAPTER IX,
"UNIFORM FIRE SAFETY CODE," OF THE
REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF HOPEWELL, NEW JERSEY (1978)**

BE IT ORDAINED that Chapter IX, "Uniform Fire Safety Code," be amended as follows (additions are underlined, deletions are shown in ~~strikeout~~):

9-1 LOCAL ENFORCEMENT.

Pursuant to section 11 of the Uniform Safety Act (P.L. 1983, c.383), the New Jersey Uniform Fire Code shall be enforced within the established limits of Hopewell Township ~~and Pennington Borough.~~ (Ord. #688-85; Ord. #92-924)

9-2 AGENCY DESIGNATION

There is hereby established the bureau of fire prevention which shall be the sole local enforcing agency for the Township of Hopewell ~~and the Borough of Pennington.~~ The enforcing agency shall serve within the geographic boundary of Hopewell Township ~~and Pennington Borough~~ as defined and delineated by the official fire service areas map located at the Hopewell Township Police Department ~~and as agreed upon by the governing bodies of Hopewell Township and Pennington Borough pursuant to Ordinance # 90-839 authorizing the Township of Hopewell to Contract with the Borough of Pennington for Uniform Safety Code Administration.~~ (Ord. #680-85; Ord. #90-848; Ord. #92-924)

9-3 DUTIES.

The local enforcing agency shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures and premises within the established boundaries as defined and delineated by the official fire service areas map located at the Hopewell Township Police Department, ~~other than owner-occupied one and two family dwellings,~~ and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code. (ord. #688-85; Ord. #90-848; Ord. #92-924)

9-4 LIFE HAZARD USES.

The local enforcing agency established by section 9-2 of this chapter carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the commissioner of community affairs. (Ord. #688-848; Ord. #92-924)

9-5 NONLIFE HAZARD USES.

The local enforcing agency established by section 9-2 of this chapter carry out the periodic inspections of nonlife hazard uses required by the Uniform Fire Code on behalf of the commissioner of community affairs. (Ord. #729-87, § 1; Ord. 92-924)

9-6 ORGANIZATION

The local enforcing agency established by section 9-2 of this chapter shall be part of the governmental and administrative structure of the ~~Township of Hopewell~~ Hopewell Township Fire District and shall be under the direct supervision of the fire official, ~~who shall report to the township administration.~~ (Ord. #688-85; Ord. #729-87, § 1; Ord. #90-848; Ord. #92-924)

9-7 APPOINTMENTS, TERM OF OFFICE, REMOVAL

9-7.1 **Appointment of Fire Official.** The local enforcing agency shall be under the supervision of the Fire Official who shall be appointed by the ~~township committee~~ Board of Fire Commissioners. (Ord. #688-85; Ord. #729-87, § 1; Ord. #94-848; Ord. #92-924)

~~9-7.2 Term of Office.~~ ~~The fire official shall serve for a term of one year.~~ (Ord. #688-85; Ord. #729-87, § 1; Ord. #94-848; Ord. #92-924)

9-7.2 **Inspectors and Employees.** Such inspectors and other employees as may be necessary in the local enforcing agency shall be appointed by the ~~township committee~~ Hopewell Township Board of Fire Commissioners upon the recommendation of the respective fire officials. (Ord. #688-85; Ord. #729-87, § 1; Ord. #94-848; Ord. #92-924)

9-7.3 **Removal from Office.** The fire official, inspectors and other employees of the enforcing agency shall be subject to removal by the ~~township administrator~~ Hopewell Township Board of Fire Commissioners for inefficiently or misconduct. Any person to be so removed shall be afforded an opportunity to be heard by the appointing authority or a designated hearing officer. (Ord. #688-85; Ord. #729-87, § 1; Ord. #94-848; Ord. #92-924)

9-8 BOARD OF APPEALS

Pursuant to section 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any order of the local enforcing agencies shall have the right to appeal to the construction board of appeals of Mercer County. (Ord. #688-85; Ord. #729-87, § 1; Ord. #94-848; Ord. #92-924)

~~9-8.1 Fire Subcode Fees.~~ ~~The fees set forth in Chapter X, subsection 10-3.8 are hereby incorporated by reference.~~ (Ord. #92-924)

9-9 OPEN BURNING OF REFUSE PROHIBITED

- a. No person shall cause, suffer, allow or permit the disposal of rubbish, garbage, or trade waste of buildings or structures by ~~open~~ burning.
- b. No person shall cause, suffer, allow or permit the disposal of fallen leaves by ~~open~~ burning.
- c. No person shall cause, suffer, allow, or permit the disposal of any type of plant by ~~open~~ burning.
- d. The provisions of this section shall not apply to ~~open~~ burning of refuse for training or research exercises in fire protection or prevention when conducted at a permanent facility or training center designed to be used solely for such purposes on a continuing basis.
- e. The provisions of this section shall not apply to open burning in accordance with the provisions of the NJ Uniform Fire Code, N.J.A.C. 5:70 et seq. and/or N.J.A.C. 7:27-2 with appropriate valid permits.
- f. Penalty for any violation of this section shall be in accordance with the penalties stated at section 3-1 of the Hopewell Township Revised General Ordinances. (Ord. #90-868, § 1-6; Ord. #92-926)

9-10 SMOKE SENSITIVE ALARM DEVICES

~~All structures used or intended for use residential purposes by not more than two households shall have smoke sensitive alarm devices as required by New Jersey P.L. 1991, Chapter 92.~~ (Ord. #91-898, § 1)

~~9-10.1 Application, Certification and Fee.~~ ~~In any case of change of occupancy of a structure subject to the requirements of section 9-10, no owner shall sell, lease or otherwise permit occupancy for a residential purpose of such structure without first obtaining a certificate of compliance. An application for the certificate of compliance shall be made by the owner to the local fire official on such forms as may be provided by said official and shall pay a fee of twenty five (\$25.00) dollars at the time of filling the application. The local fire official shall promptly make an inspection of the structure to determine that the structure is so equipped with the required alarm devices, and if the structure is so equipped, shall immediately issue the certificate of compliance.~~ (Ord. #91-898, § 1)

~~**9-10.2 Penalty.** Any owner who sells, leases, rents or otherwise permits the occupancy for residential purposes of any structure subject to the provisions of P.L. 1991, Chapter 92 and this section, or who fails to comply with the inspection and certification requirements of this section,~~

9-10 RAPID ACCESS KEY BOX

9-10.1 Definition. For the purposes of this section the term “key” shall be defined as any device or information needed to release a lock such as but not limited to a mechanical key, a magnetic card reader, or a pass code. (Ord. #01-1200, § 1)

9-10.2 Applicability of Regulation

- a. All properties within the Township of Hopewell having an automatic fire alarm system or a fire sprinkler system shall be equipped with a key box.
- b. All properties within the Township of Hopewell on which hazardous materials are used, handled or stored where the total aggregate quantity is more than 55 gallons, 500 pounds, or 200 cubic feet, and such materials are in the (3) or (4) range of the NFPA 704M symbol; or materials are water reactive or materials are radioactive shall be equipped with a HazMat cabinet. This subsection shall not apply to underground fuel storage.
- c. This shall not apply to owner-occupied one and two family dwellings.
- d. Facilities which employ constant on site security shall be except from this section provided that such on site security personnel will provide access to all areas of the building(s) and shall have readily available any other materials required by this section.

9-10.3 Specification of Key Box.

- a. The key box shall be UL listed type and approved by the Hopewell Valley Bureau of Fire Safety.
- b. The key box shall be compatible with the Hopewell Valley master key.
- c. The rapid entry box shall be installed in a location approved by the Hopewell Valley Fire Official. (Ord. #01-1200, § 1)

9-10.4 KEY BOX CONTENTS

1. Rapid entry boxes required under section 2(a) or 2(b) of this ordinance shall contain the following:
 - a. Keys to locked points of egress, whether on interior or exterior of such buildings;
 - b. Keys to locked mechanical rooms;
 - c. Keys to locked elevator rooms;
 - d. Keys to elevator controls;
 - e. Keys to any fence or secured areas;
 - f. Keys to other areas as directed by the Fire Official;
 - g. A floor plan of the rooms within the building.
2. Rapid entry boxes under section 2(b) of this ordinance shall contain the following:
 - a. All contents required by section 4(a);
 - b. Alphabetical list of all chemicals, room number, location, and approximate quantity and strength;
 - c. Material Safety Data sheets (MSDS) of all chemicals in alphabetical Order;
 - d. A copy of the Emergency Response Plan (ERP);
 - e. List of all responsible parties and phone numbers;
 - f. Locations and types of automatic suppression systems.
3. All keys contained within Key boxes shall be labeled with the location of the locks, which they operate. (Ord. #01-1200, § 1)

9-10.5 TIME FOR COMPLIANCE. All existing building shall comply with this ordinance within twelve (12) months of its effective date. All newly constructed buildings, not yet occupied or buildings under construction, shall comply immediately, and certificate of occupancy shall not be issued until this requirement is met.

9-10.6 MAINTAINING CURRENT KEYS AND INFORMATION

- a. All Key Box contents required by section four of this ordinance, or required by the Fire Official, or placed in the key box voluntarily by the building owner or occupant including but not limited to the keys, access cards, pass codes, elevator controls, floor plans, hazardous materials inventories, or MSDS sheets shall be kept current with any changes to the building, occupancy, or contents.
- b. It shall be the responsibility of the building owner to notify the Hopewell Valley Bureau of Fire Safety of any changes falling under the requirements of section 6(a) above within 2 days and make arrangements to update key box contents. (Ord. #01-1200, § 1)

9-10.7 PENALTIES. Any building owner violating this Ordinance shall be subject to penalties as set forth in the Uniform Fire Code. (Ord. #01-1200, § 1)

9-10.8 REPEALER. Any and all Ordinances or part of Ordinances inconsistent with this Ordinance are hereby Repealed to the extent of their inconsistency. (Ord. #01-1200, § 1)

9-10.9 CITATION; Statutory Authority. Cite as: N.J.A.C. 5:70-3.2(a) 45, F-4501 (Ord. #01-1200, § 1)

9-10.10 FIRE FIGHTING METHODS. The installation of the rapid access key box shall not preclude any Fire Department, Fire Company or firefighter from using traditional firefighting methods to gain access to the building. The failure of any Fire Department, Fire Company or firefighter to use the rapid access key box shall not give rise to liability.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication in accordance with the law.

CONSENT AGENDA ITEMS

RESOLUTIONS #06-336 THROUGH #06-338. Read by title.
Motion by Sandahl, seconded by Niederer to adopt Resolutions #06-336 through #06-338.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-336

**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 10th day of October 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

- 1. That Engineering bond money (\$52,108.00) for Block 80, Lot 145 posted on 1/17/06 by Candor Construction Group, Inc., 475 Market Street, Elmwood Park, NJ 07407-3126 be and is hereby released.

R E S O L U T I O N #06-337

**A RESOLUTION AUTHORIZING
REFUNDS FROM HOPEWELL TOWNSHIP
FOR OVERPAYMENT OF 2006 TAXES**

WHEREAS, the Tax Collector has determined that overpayment of 2006 tax payments have been made;

NOW, THEREFORE, BE IT RESOLVED, on this 10th day of October 2006, 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 2006 taxes.

BLOCK	LOT	REFUND TO	AMOUNT
4	73	Laughlin James & Marjorie L M 67 Stony Brook Rd Hopewell, NJ 08525 Duplicate 3 rd qtr pmt	\$3879.32
62	12.23	Arora Mandeep S & Jasmine 18 Hallett Dr Pennington, NJ 08534 Duplicate 3 rd qtr pmt	\$754.24

78.20	18 c156	Winnie Wang Attorney 196 Princeton Hightstown Rd Building 2A Suite 10 Princeton, NJ 08556 Duplicate 3 rd qtr pmt Location: 109 Deer Run Ct Owner of Record: Wu	\$2390.00
078	009.13	Dauer Ronald B & Sandra 2 Buckingham Dr. Pennington, NJ 08534 Duplicate 3 rd qtr pmt	\$1603.59

R E S O L U T I O N #06-338

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

BE IT RESOLVED, on this 10th day of October 2006, 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 insofar as their respective Zoning Board of Adjustment applications have been finalized:

<u>A/C#</u>	<u>NAME</u>	<u>AMOUNT</u>
24665	Theodore Shatynski 2 Roosevelt Avenue Pennington, NJ 08534 Hardship Variance – Block 72 Lot 1.14	\$438.74
24661	Vladimir Visnjic 145 Mansgrove Road Princeton, NJ 08540 Hardship Variance – Block 34 Lot 24	\$344.67

RESOLUTION #06-339. Read by title.
Motion by Iorio, seconded by Sandahl to adopt Resolution #06-339.

ROLL CALL VOTE:

AYES: Iorio, Murphy, Niederer, Sandahl, Mayor Sandom
NOES: None

R E S O L U T I O N #06-339

**A RESOLUTION AUTHORIZING THE
EXECUTION OF A GIFT AGREEMENT
BETWEEN THE TOWNSHIP OF HOPEWELL AND
PRINCETON HEALTH CARE SYSTEM**

WHEREAS, Princeton HealthCare System, an established charitable entity, agrees to provide a grant to Hopewell Township in the amount of Forty-Six Thousand Five Hundred Dollars (\$46,500.00) per year for each of three years, for a total aggregate grant in the amount of One Hundred Thirty-Nine Thousand Five Hundred Dollars (\$139,500.00) to fund the salary for the full-time position of Senior Services Coordinator; and

WHEREAS, Princeton HealthCare System agrees to provide a grant to Hopewell to fund the cost of providing health insurance coverage to the individual hired to serve as such Senior Services Coordinator.

NOW, THEREFORE, BE IT RESOLVED on this 10th day of October 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That the agreement between the Township of Hopewell and Princeton HealthCare System, in a form similar to that which is attached hereto, be and is hereby approved.
2. That the Mayor of the Township of Hopewell be and is hereby authorized to execute said agreement.

RESOLUTION #06-340. Read by title.

Committee Member Niederer questioned the estimated cost of contract in the amount of \$8,500.00. Mr. Hilling responded that the actual cost would be approximately \$20,000.00 insofar as there would be additional expenses. Committee Member Niederer noted the application fee of \$6,300.00 and questioned the cost to survey. Mr. Hilling replied the township has requested proposals to obtain quotes for the survey which will be included in the figure of \$20,000.00.

Motion by Sandahl, seconded by Murphy to adopt Resolution #06-340.

ROLL CALL VOTE:

AYES: Iorio, Murphy, Sandahl, Mayor Sandom

NOES: Niederer

R E S O L U T I O N #06-340

**A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT FOR THE YEAR 2006
(AMY S. GREEN ENVIRONMENTAL CONSULTANTS, INC.)**

WHEREAS, there exists a need for professional services for the following: Environmental consulting/wetlands delineation services for Block 37, Lot 19 (Else Property) as described in the proposal dated September 27, 2006; and

WHEREAS, the estimated cost of the contract is \$8,500.00 for professional environmental consulting/wetlands delineation services for Block 37, Lot 19 (Else Property) as described in the proposal dated September 27, 2006; and funds are available in the 2006 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:

Amy S. Green Environmental Consultants, Inc. for professional environmental consulting/wetlands delineation services for Block 37, Lot 19 (Else Property) as described in the proposal dated September 27, 2006.

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 in the official newspaper as required by law.

RESOLUTION #06-341. Read by title.

Motion by Sandahl, seconded by Iorio to adopt Resolution #06-341.

ROLL CALL VOTE:

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

NOES: None

R E S O L U T I O N #06-341

**A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT FOR THE YEAR 2006
(FERRIERO ENGINEERING, INC.)**

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

WHEREAS, the estimated cost of the contract is \$8,000.00 for certain alternate professional Engineering Services; and funds are available in the 2006 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:

Paul W. Ferriero of Ferriero Engineering, Inc. for certain alternate professional Engineering 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 in the official newspaper as required by law.

RESOLUTION #06-342. Read by title.

Committee Member Sandahl explained that Dr. Robert O'Boyle of the Hopewell Valley Regional School District organized a T-Shirt design contest for the high school students to support the Lawrence Hopewell Trail. He noted that there were over 45 entrants in the contest and the student who had the winning design was awarded a bicycle at the Hopewell Harvest Fair. He commended Dr. O'Boyle for his efforts and wished him the best in his future endeavors.

Motion by Sandahl, seconded by Iorio to adopt Resolution #06-342.

ROLL CALL VOTE:

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

NOES: None

R E S O L U T I O N #06-342

A RESOLUTION COMMENDING DR. ROBERT O'BOYLE OF THE HOPEWELL VALLEY REGIONAL SCHOOL DISTRICT

WHEREAS, the completions of the Lawrence Hopewell Trail will provide the residents of Hopewell Valley a safe, family friendly, and accessible active recreational asset; and

WHEREAS, the Lawrence Hopewell Trail will provide many benefits to the youth of Hopewell Valley, including promoting health lifestyles and promoting bicycling and walking as alternatives to motorized transport; and

WHEREAS, Dr. Robert O'Boyle of the Hopewell Valley Regional School District organized a design contest for Hopewell Central High School Students; and

WHEREAS, Dr. Robert O'Boyle organized and inspired Central High School students to participate in the contest; and

NOW, THEREFORE, BE IT RESOLVED, on this 10th day of October 2006, that the Township Committee of the Township of Hopewell in the County of Mercer commends Dr. Robert O'Boyle for his outstanding leadership and guidance in service to the youth of Hopewell Valley; and

BE IT FURTHER RESOLVED, that the Township Committee wishes Dr. O'Boyle all the best with his efforts and endeavors in the coming year.

RESOLUTION #06-343. Read by title.

Motion by Sandahl, seconded by Iorio to adopt Resolution #06-343.

ROLL CALL VOTE:

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

NOES: None

RESOLUTION #06-343

BILLS & CLAIMS

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment dated October 10, 2006 in the following amounts:

Bills and Claims	-	\$	410,336.54
Payroll	-	\$	291,811.04
Total Disbursements	-	\$	702,147.58

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.

At 7:45 p.m., Motion by Sandahl, seconded by Iorio to adjourn the meeting.

MOTION UNANIMOUSLY CARRIED

ANNETTE C. BIELAWSKI
MUNICIPAL CLERK