

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

Monday, December 11, 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 Deputy Municipal Clerk:

COMMITTEE MEMBERS PRESENT: Iorio, Niederer, Sandahl, Mayor Sandom

ABSENT: Murphy

STAFF PRESENT: Administrator Hilling, Township Attorney Goodell,
Assistant Administrator Borges, Engineer Pogorzelski,
Deputy Municipal Clerk Moore

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

Mayor Sandom advised that she would deviate from the scheduled agenda for Committee consideration of listed Resolutions A and B.

RESOLUTION #06-389. Read by title.

Ms. Borges explained that the proposed resolution cancels an appropriation that was intended for the purchase of cameras to search for infiltration in the sewer lines, and that such cameras are no longer needed.

Motion by Sandahl, seconded by Iorio to adopt Resolution #06-389.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-389

**A RESOLUTION CANCELING A 2006
APPROPRIATION BALANCE IN THE SEWER UTILITY**

WHEREAS, the following sewer utility budget appropriation balance remains unexpended:

Capital Improvement Fund \$78,500.00; and

WHEREAS, it is necessary to formally cancel said balance so that the unexpended balance may be credited to surplus;

NOW, THEREFORE, BE IT RESOLVED, on this 11th day of December 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the above listed unexpended balance of the Sewer Fund be canceled.

RESOLUTION #06-390. Read by title.

Ms. Borges explained that the emergency appropriation would fund the rental of temporary pumps for the Princeton Farms sewer system pending the arrival of new pumps. She noted that the appropriation would be funded from surplus. Mr. Pogorzelski stated that the new pumps are scheduled to arrive at the site today; however, it is recommended that the existing storage tank be cleaned of accumulated debris to avoid potential damage to the new pumps. He indicated that the cost to clean the tank is approximately \$2,000.

Hopewell Township Representative to the Stony Brook Regional Sewerage Authority Gale Downey was present. Ms. Downey concurred with Mr. Pogorzelski's remarks and noted that the uphill path of the sewer lines requires pumps in good working order.

It was the consensus of the Committee to authorize cleaning the tank prior to installation of the new pumps.

Motion by Sandahl, seconded by Iorio to adopt Resolution #06-390.

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Mayor Sandom

NOES: None

ABSENT: Murphy

RESOLUTION #06-390

**A RESOLUTION FOR AN
EMERGENCY APPROPRIATION
(SEWER UTILITY)**

WHEREAS, an emergency has arisen with respect to the ability of the Township of Hopewell to pay for Sewer Costs which were not foreseen at the time of the budget adoption and no adequate provision was made in the 2006 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of emergency appropriation(s) created including the appropriation to be created by this resolution is \$438,000.00 and three percent of the total operations in the budget for the year 2006 is \$403,605.65.

NOW, THEREFORE, BE IT RESOLVED on this 11th day of December 2006, 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 N.J.S.A. 40A:4-48:

1. An emergency appropriation be and the same is hereby made for Sewer O/E in the amount of \$35,000.00.
2. That said emergency appropriation shall be funded by surplus.
3. That two certified copies of this resolution be filed with the Director of Local Government Service.

ADDITIONAL ITEMS FOR MEETING AGENDA

Ms. Borges requested that a resolution canceling an unexpended 2006 appropriation for group health insurance expenses be added to the agenda, and the Committee concurred.

COMMITTEE MEMBERS AND STAFF REPORTS

Committee Member Niederer reported that the Affordable Housing Committee has scheduled a tour of a modular home manufacturing facility. She reported on a meeting with Police Chief Meyer concerning flood mitigation plans and eligibility for FEMA funding.

Committee Member Sandahl reported on a meeting of the township's Application Review Committee and a proposal from Carter Road, LLC. He reported that the Planning Board is continuing its discussion and review of the Community Facilities Plan Element of the Master Plan.

Committee Member Iorio reported that the Agricultural Advisory Committee is working on Planning Incentive Grants; the Youth Advisory Board is discussing goals and have requested a link on the township's website; and the Business Alliance Partnership is working on a conduit through the schools to introduce students to professional business opportunities.

Mr. Hilling reported that there are openings in the township for a dispatcher and Violations Clerk.

Mr. Goodell reported that lawsuits have been filed in connection with the Center Heart and Lewis School applications that were before the Planning Board. He reported on the status of the following litigation: Zeloof, Presidential Hill, Oak Ridge Park III and Twin Pines Homeowners' Association.

Mr. Pogorzelski reported on the status of certain paving projects.

Ms. Borges announced that the Mercer County Surrogate will be present in the municipal building the third Friday of each month to provide assistance to residents.

PUBLIC SECTION

William Schoelwer, a resident of Westcott Boulevard, questioned a proposed resolution to increase the professional services agreement with M2 Associates.

Janet Rawlings, a resident of Province Line Road, questioned the status of the Community Facilities Element of the Master Plan.

ORDINANCE - FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Sandom read by title the introduced ordinance:

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL DESIGNATING THE "MOUNT ROSE GENERAL STORE" AS A HISTORIC LANDMARK WITHIN THE TOWNSHIP OF HOPEWELL AND AMENDING AND SUPPLEMENTING THE OFFICIAL ZONING MAP AND ORDINANCES OF THE TOWNSHIP OF HOPEWELL

David Blackwell, a member of the Hopewell Township Historic Preservation Commission, was present. Mr. Blackwell explained that the Mount Rose General Store is located in a crossroads village at the corner of Pennington-Rocky Hill and Hopewell-Princeton Roads and is dated circa 1831. Committee Member Niederer recognized Historic Preservation Commission members Richard Hunter and Phil Robbins, and municipal liaison Robert Miller, who were present in the audience, and she expressed thanks for their work. Committee Member Sandahl added that the ordinances have been reviewed and approved by the township's Planning Board.

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

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

MOTION UNANIMOUSLY CARRIED

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Mayor Sandom

NOES: None

ABSENT: Murphy

ORDINANCE ADOPTED

Ordinance advertised November 30, 2006 Hopewell Valley News. Ordinance was forwarded to the Hopewell Township Planning Board for review at its November 30, 2006 meeting. Posted municipal bulletin board as required by law.

ORDINANCE NO. 06-1382

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL DESIGNATING THE "MOUNT ROSE GENERAL STORE" AS A HISTORIC LANDMARK WITHIN THE TOWNSHIP OF HOPEWELL AND AMENDING AND SUPPLEMENTING THE OFFICIAL ZONING MAP AND ORDINANCES OF THE TOWNSHIP OF HOPEWELL

WHEREAS, the Township of Hopewell has established a Register of Historic Landmarks pursuant to Ordinance No. 00-1142, in order to preserve and regulate Historic Districts and Historic Landmarks within the Township of Hopewell; and

WHEREAS, the Historic Preservation Commission of Hopewell Township published legal notice for its hearing of September 19, 2006, at which the "Mount Rose General Store" was found to have historic significance under the terms of Ordinance 00-1142; and

WHEREAS, the "Mount Rose General Store", which is located at 230 Hopewell Princeton Road (Block 16, Lot 21 on the Hopewell Township Tax Map), is the site of a farmstead containing 2 buildings and 1 object located on a 1.214 acre parcel; and

WHEREAS, the "Mount Rose General Store" dates to circa 1830, and portrays the growth of small villages, anchored by stores, as it occurred after 1800 in Hopewell Township; and

WHEREAS, the Hopewell Township Historic Commission has found that the "Mount Rose General Store" possesses attributes that are associated with the "character, interest or value as part of the development, heritage, or cultural characteristics of the Township, State, or Nation", particularly as it recalls for us the visual character of the small villages that sprang up and competed for prominence in the early nineteenth century in Hopewell Township; and

WHEREAS, the Hopewell Township Historic Commission has found that the "Mount Rose General Store" also possesses attributes that are "distinctive characteristics of a type, period or method of construction, architecture or engineering", in that the building demonstrates a traditional architectural means of differentiating a commercial building from a residential building; and

WHEREAS, the Township Committee of the Township of Hopewell therefore believes that the "Mount Rose General Store" is of historic significance and should be designated as an historic landmark within the Township of Hopewell pursuant to and in accordance with Ordinance No. 00-1142.

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

1. That the "Mount Rose General Store" as referenced above, shall be designated as an Historic Landmark within the Township of Hopewell, pursuant to and in accordance with Ordinance No. 00-1142.

2. That the Official Zoning Map and Ordinances of the Township of Hopewell shall be amended and supplemented accordingly, in order to reflect this historic designation.

3. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

5. That this Ordinance shall take effect 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 OF THE TOWNSHIP OF HOPEWELL DESIGNATING THE "SAMUEL MOORE SR. HOUSE" AS A HISTORIC LANDMARK WITHIN THE TOWNSHIP OF HOPEWELL AND AMENDING AND SUPPLEMENTING THE OFFICIAL ZONING MAP AND ORDINANCES OF THE TOWNSHIP OF HOPEWELL

Mr. Blackwell explained the historical significance of the Samuel Moore, Jr. house located on East Curlis Avenue and he introduced Moira and Lars Nilsson, owners of the property.

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

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

MOTION UNANIMOUSLY CARRIED

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Mayor Sandom

NOES: None

ABSENT: Murphy

ORDINANCE ADOPTED

Ordinance advertised November 30, 2006 Hopewell Valley News. Ordinance was forwarded to the Hopewell Township Planning Board for review at its November 30, 2006 meeting. Posted municipal bulletin board as required by law.

ORDINANCE NO. 06-1383

**AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL
DESIGNATING THE "SAMUEL MOORE SR. HOUSE" AS A
HISTORIC LANDMARK WITHIN THE TOWNSHIP OF
HOPEWELL AND AMENDING AND SUPPLEMENTING
THE OFFICIAL ZONING MAP AND ORDINANCES OF
THE TOWNSHIP OF HOPEWELL**

WHEREAS, the Township of Hopewell has established a Register of Historic Landmarks pursuant to Ordinance No. 00-1142, in order to preserve and regulate Historic Districts and Historic Landmarks within the Township of Hopewell; and

WHEREAS, the Historic Preservation Commission of Hopewell Township published legal notice for its hearing of September 19, 2006, at which the "Samuel Moore Sr. House" was found to have historic significance under the terms of Ordinance 00-1142; and

WHEREAS, the "Samuel Moore Sr. House", a.k.a. the "John Welling House", which is located at 56 East Curlis Avenue (Block 74, Lot 47 on the Hopewell Township Tax Map), is a site containing 3 buildings located on a 1.27-acre parcel; and

WHEREAS, the "Samuel Moore Sr. House" dates to circa 1750-1760, and has been previously designated and listed on both the National Register of Historic Places and the New Jersey Register of Historic Places; and

WHEREAS, the Hopewell Township Historic Commission has found that the "Samuel Moore Sr. House" possesses attributes that are "associated with the lives of persons significant in our past", particularly with Samuel Moore, Sr., a man active in the civil and religious leadership of Hopewell Township; and

WHEREAS, the Hopewell Township Historic Commission has found that the "Samuel Moore Sr. House" also possesses attributes that are "distinctive characteristics of a type, period or method of construction, architecture or engineering", in that the house is a composite of several architectural ideas that represent Dutch influenced architecture in the first half of the eighteenth century and that the cellular nature of the main two rooms allows for a pre-1750 date up to the 1760's; and

WHEREAS, the Township Committee of the Township of Hopewell therefore believes that the "Samuel Moore Sr. House" is of historic significance and should be designated as an historic landmark within the Township of Hopewell pursuant to and in accordance with Ordinance No. 00-1142.

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

1. That the "Samuel Moore Sr. House" as referenced above, shall be designated as an Historic Landmark within the Township of Hopewell, pursuant to and in accordance with Ordinance No. 00-1142.

2. That the Official Zoning Map and Ordinances of the Township of Hopewell shall be amended and supplemented accordingly, in order to reflect this historic designation.

3. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

5. That this Ordinance shall take effect 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 OF THE TOWNSHIP OF HOPEWELL DESIGNATING
THE "ANDREW TITUS HOUSE" AS A HISTORIC LANDMARK WITHIN
THE TOWNSHIP OF HOPEWELL AND AMENDING AND
SUPPLEMENTING THE OFFICIAL ZONING MAP AND ORDINANCES OF
THE TOWNSHIP OF HOPEWELL**

Mr. Blackwell noted that the Andrew Titus House dates from the 1750's and he acknowledged the property owners, JoAnn and George Meyer, for their efforts to preserve the historical integrity of the structure.

Mayor Sandom declared public hearing open.

JoAnn Meyer, owner of the Andrew Titus House, thanked the Historic Preservation Commission for the inclusion of the property on the township's Historic Register. She expressed pride in residing in a community that values its historic properties and urged the Commission to continue its work with respect to designation of such properties.

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

MOTION UNANIMOUSLY CARRIED

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Mayor Sandom

NOES: None

ABSENT: Murphy

ORDINANCE ADOPTED

Ordinance advertised November 30, 2006 Hopewell Valley News. Ordinance was forwarded to the Hopewell Township Planning Board for review at its November 30, 2006 meeting. Posted municipal bulletin board as required by law.

ORDINANCE NO. 06-1384

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL DESIGNATING THE "ANDREW TITUS HOUSE" AS A HISTORIC LANDMARK WITHIN THE TOWNSHIP OF HOPEWELL AND AMENDING AND SUPPLEMENTING THE OFFICIAL ZONING MAP AND ORDINANCES OF THE TOWNSHIP OF HOPEWELL

WHEREAS, the Township of Hopewell has established a Register of Historic Landmarks pursuant to Ordinance No. 00-1142, in order to preserve and regulate Historic Districts and Historic Landmarks within the Township of Hopewell; and

WHEREAS, the Historic Preservation Commission of Hopewell Township published legal notice for its hearing of September 19, 2006, at which the "Andrew Titus House" was found to have historic significance under the terms of Ordinance 00-1142; and

WHEREAS, the "Andrew Titus House", which is located at 11 Cedar Lane (Block 133, Lot 11 on the Hopewell Township Tax Map), is the site of a farmstead containing 1 building and 1 site located on a 6.7 acre parcel; and

WHEREAS, the "Andrew Titus House" dates to circa 1760, and is a frame house with a two story main mass comprised on the first floor of a large front room and narrow back room and matches at least four others in Hopewell Township whose plans predate the introduction of Georgian floor plans; and

WHEREAS, the Hopewell Township Historic Commission has found that the "Andrew Titus House" also possesses attributes that are "distinctive characteristics of a type, period or method of construction, architecture or engineering", in that the house was built for Andrew Titus (1730-1800) with the year of construction reasonably fixed at 1760 and represents a house plan type particular to the 1750-1770 period with a blending of details in Dutch and English house types and additionally the house setting on a small knoll with the stream below on which the stone spring house still stands is a scene that retains a historic character; and

WHEREAS, the Township Committee of the Township of Hopewell therefore believes that the "Andrew Titus House" is of historic significance and should be designated as an historic landmark within the Township of Hopewell pursuant to and in accordance with Ordinance No. 00-1142.

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

1. That the "Andrew Titus House" as referenced above, shall be designated as an Historic Landmark within the Township of Hopewell, pursuant to and in accordance with Ordinance No. 00-1142.

2. That the Official Zoning Map and Ordinances of the Township of Hopewell shall be amended and supplemented accordingly, in order to reflect this historic designation.

3. That the provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

4. That all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

5. That this Ordinance shall take effect upon final passage and publication in accordance with the law.

Mayor Sandom advised that she would deviate from the scheduled agenda at this time for Committee consideration of listed Resolution G.

RESOLUTION #06-391. Read by title.

Motion by Iorio, seconded by Sandahl to adopt Resolution #06- 391.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-391

A RESOLUTION REQUESTING AN EXTENSION OF TIME FOR AWARDING A CONTRACT FOR BLACKWELL ROAD IMPROVEMENTS

WHEREAS, the Township of Hopewell has been awarded a local aid grant for improvements to Blackwell Road; and

WHEREAS, the New Jersey Department of Transportation has advised the Township of Hopewell that the grant was conditioned upon the awarding of a contract by January 12, 2007; and

WHEREAS, due to delays in the start of surveying and engineering and the required approval of the Mercer County Soil Conservation District, additional time is needed to publicly bid the project, and the January 12, 2007 date for award of a construction contract cannot be met.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Hopewell, in the County of Mercer, State of New Jersey, does hereby request the Commissioner of the Department of Transportation to grant an extension of time until January 12, 2008 for the award of the bid.

PRESENTATION “2006 HONORING HOPEWELL’S HISTORY PHOTO CONTEST”

Historic Preservation Commission Member Richard Hunter appeared before the Committee and explained the nature and process of the photo contest. He noted that clues were published weekly in the Hopewell Valley News that led to eight separate photographic subjects. Mayor Sandom read the names of the winners in four separate categories, and those winners present approached the podium for an award presentation and group photograph.

CONSENT AGENDA ITEMS

RESOLUTIONS #06-392 THROUGH #06-396 AND RAFFLES LICENSE APPLICATION RA:9-06. Read by title

Motion by Sandahl, seconded by Niederer to adopt Resolutions #06-392 through #06-396 and approve Raffles Application RA:9-06. **MOTION UNANIMOUSLY CARRIED**

R E S O L U T I O N #06-392

A RESOLUTION AUTHORIZING REFUNDS FROM HOPEWELL TOWNSHIP PLANNING TRUST ACCOUNTS

BE IT RESOLVED, on this 11th day of December 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 as their respective Planning Board or Zoning Board of Adjustment applications have been finalized:

A/C#	NAME	AMOUNT
KE066	Kerani Enterprises, Inc. Attn: Vallabh Kansagra 108 Washington Road Princeton, NJ 08540 72/9 – Concept	\$ 780.80
XX088C	Toll Brothers, Inc. Attn: James H. Harrington, Jr. 1915 Swarthmore Avenue, Suite #2 Lakewood, NJ 08701 39/7 – Engr/Inspec	\$11,825.98
	TOTAL	\$12,606.78

R E S O L U T I O N #06-393

**A RESOLUTION AUTHORIZING REFUNDS FOR
HOPEWELL VALLEY RECREATION DEPARTMENT
PROGRAM PARTICIPANTS**

WHEREAS, registration fees were paid for participation in a variety of programs sponsored by the Hopewell Valley Recreation Department; and,

WHEREAS, some participants have requested a refund in accordance with department policy;

NOW, THEREFORE, BE IT RESOLVED, on this 11th day of December 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following program refunds be and are hereby authorized:

Thomas Pearse-Drance	24 Penn.-Lawrenceville Rd., Pennington, NJ 08534	\$150.00
Anita Robinson	31 Continental Lane, Titusville, NJ 08560	90.00

R E S O L U T I O N #06-394

**A RESOLUTION FOR REDEMPTION
OF TAX SALE CERTIFICATE**

WHEREAS, the Township of Hopewell has received payment for the redemption of tax sale certificates #04-04.

NOW, THEREFORE, BE IT RESOLVED, on this 11th day of December 2006, 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.

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>AMOUNT</u>	<u>LIEN HOLDER</u>
43.24	15.05	Scarlet Development, LLC	\$33,157.02	Crusader Servicing Corporation

R E S O L U T I O N #06-395

**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 11th day of December 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That Engineering bond money (\$4,361.00) for Block 78, Lot 10.02 (C157-162) (Bldg. #27) posted on 11/16/05 by Beazer Homes, 250 Phillips Blvd., Suite 290, Trenton, NJ 08618 be and is hereby released.

2. That Engineering bond money (\$3,760.00) for Block 78.43, Lot 1 (C89-94) (Bldg.#17) posted on 3/31/04 by Beazer Homes, 250 Phillips Blvd., Suite 290, Trenton, NJ 08618 be and is hereby released.
3. That Engineering bond money (\$17,058.85) for Block 15, Lot 2.12 posted on 2/10/06 by Palomar Associates, Inc., 10 Allerton Road, Lebanon, NJ 08833 be and is hereby released.

RESOLUTION #06-396

**A RESOLUTION APPROVING THE
PAYMENT OF UNUSED SICK, PERSONAL
AND VACATION TIME TO WILLIAM WHITE**

WHEREAS, William White retired December 1, 2006 after seventeen years of employment with the Township of Hopewell; and

WHEREAS, the Hopewell Township Personnel Policies and Procedures Manual provides to employees who retire from service the payment of unused sick, personal and vacation leave at their current hourly rate.

NOW, THEREFORE, BE IT RESOLVED on this 11th day of December 2006, 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 sick, personal and vacation leave as calculated by the Chief Financial Officer in the amount of \$19,056.39 to William White.

RAFFLES LICENSE - BULLDOG BOOSTER CLUB - (RA:9-06) 50/50 on-premise raffles on 8 dates during December 2006, January 2007, and February 2007, Hopewell Valley Central High School, 259 Pennington-Titusville Road.

RESOLUTION #06-397. Read by title.

Motion by Sandahl, seconded by Niederer to adopt Resolution #06-397.

ROLL CALL VOTE:

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

RESOLUTION #06-397

2006 BUDGET TRANSFER RESOLUTION #1

BE IT RESOLVED on this 11th day of December 2006, by the Township Committee of the Township of Hopewell, County of Mercer and State of New Jersey, that a transfer be made in the 2006 Budget appropriations as follows:

From:	
Public Works O/E	\$12,000.00
Buildings and Grounds O/E	<u>18,000.00</u>
Total	\$30,000.00

To:	
Health S/W	\$12,000.00
Legal O/E	<u>18,000.00</u>
Total	\$30,000.00

RESOLUTION #06-398. Read by title.

Motion by Iorio, seconded by Sandahl to adopt Resolution #06-398.

MOTION UNANIMOUSLY CARRIED

RESOLUTION #06-398

**STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL
PROTECTION GREEN ACRES ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Hopewell desires to further the public interest by obtaining a loan of \$0 and/or a grant of \$3,550,000.00 from the State to fund the following project(s): Green Acres-Hopewell Township PIG (File # 1106-97-091).

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hopewell, Mercer County, New Jersey, that Open Space Planner Andrew Strauss and/or Township Administrator Bruce Hilling or the successor to the office of the Township Administrator are hereby authorized to:

- (a) make application for such a loan and/or such a grant
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above names project.

NOW, THEREFORE, BE IT FURTHER RESOLVED on this 11th day of December 2006, by the Township Committee of the Township of Hopewell that:

1. Township Administrator Bruce Hilling is hereby authorized to execute an agreement and any amendment thereto with the State known as Green Acres-Hopewell Township PIG (File # 1106-97-091).
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$3,550,000.00.
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

RESOLUTION #06-399. Read by title.

Mr. Hilling explained the use of Matt Mulhall's testimony in the township's defense against rezoning litigation. He noted that court proceedings had required Mr. Mulhall's presence for an unanticipated amount of time, and resulted in the need for an increase in the professional services agreement for Mr. Mulhall's firm, M2 Associates.

Motion by Sandahl, seconded by Iorio to adopt Resolution #06-399.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-399

A RESOLUTION AMENDING 2006 PROFESSIONAL SERVICES AGREEMENT (M2 ASSOCIATES, INC.)

WHEREAS, the Township entered into a Professional Services Agreement for the year 2006 with the firm noted below; 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 11th day of December 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the 2006 Professional Services Agreement be and hereby is amended as follows:

FIRM	<u>CURRENT MAXIMUM</u>	<u>PROPOSED MAXIMUM</u>
M2 Associates, Inc. Hydrogeologic Consulting Services Related To Litigation	\$5,000.00	\$23,000.00

RESOLUTION #06-400. Read by title.
Motion by Sandahl, seconded by Iorio to adopt Resolution #06-400.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-400

**A RESOLUTION AUTHORIZING
PROFESSIONAL SERVICES AGREEMENT
(ROBERT P. CASEY, ESQ.)**

WHEREAS, there exists a need for professional services to assist the Township in its legal affairs in connection with specific Planning Board litigation; and

WHEREAS, the estimated cost of the contract is \$1,000.00 for such 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:

Robert P. Casey, Esq., Lenox, Socey, Wilgus, Formidoni, Brown, Giordani & Casey, LLC, 3131 Princeton Pike, Lawrenceville, New Jersey 08648

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 #06-401. Read by title.
Motion by Sandahl, seconded by Iorio to adopt Resolution #06-401.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-401

**A RESOLUTION CANCELING A 2006
APPROPRIATION BALANCE IN THE CURRENT FUND**

WHEREAS, the following current appropriation balance remains unexpended:

Employee Group Health – Medical Insurance 123,136.59; and

WHEREAS, it is necessary to formally cancel said balance so that the unexpended balance may be credited to surplus.

NOW, THEREFORE, BE IT RESOLVED, on this 11th day of December 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the above listed unexpended balance of the Current Fund be canceled.

RESOLUTION #06-402. Read by title.
Motion by Sandahl, seconded by Iorio to adopt Resolution #06-402.
ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Mayor Sandom

NOES: None

ABSENT: Murphy

R E S O L U T I O N # 06-402

BILLS & CLAIMS

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment dated December 11, 2006 in the following amounts:

Bills and Claims	-		\$ 331,612.75
Payroll	-		\$ 284,881.79
Total Disbursements	-		\$ 616,494.54

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

At this time, a brief discussion was held as to the scheduling of a special meeting later in the month for the purpose of approving a bill list. It was suggested that such a meeting be scheduled December 27 at 12:00 noon.

PUBLIC COMMENT

Robert Beyer, a resident of Route 31 South, suggested that the Township Committee develop a dialog with various township boards and committee to synchronize goals.

Severino DiCocco, a resident of Poor Farm Road, suggested that the township consider the use of the Stires Farmhouse or the Hart's Corner Schoolhouse for the site of a teen center.

EXECUTIVE SESSION RESOLUTION. Read into the record.

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

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

EXECUTIVE SESSION RESOLUTION

WHEREAS, it is necessary for the Township Committee to discuss legal, contract negotiations, and/or 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 11th day of December 2006, 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 9:15 p.m. the Executive Session was held.

At 10:13 p.m., Motion by Iorio, seconded by Sandahl to adjourn the meeting.

MOTION UNANIMOUSLY CARRIED

Anne B. Moore
Deputy Municipal Clerk