

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

Tuesday, February 14, 2006 - 7:05 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, Mayor Sandom
Sandahl (arrived at 7:06 p.m.),
Murphy (arrived at 7:07 p.m.)

ABSENT: None

STAFF PRESENT: Administrator Hilling, CFO Borges, Municipal Clerk Bielawski, Attorney Doobrajh for Township Attorney Goodell, Engineer Pogorzelski

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

PRESENTATION - POLICE DEPARTMENT PROMOTIONS

RESOLUTIONS #06-51 THROUGH #06-53. Read into the record by Committee Member Niederer.

Committee Member Niederer announced that an official ceremony to commemorate the promotions will be held March 13, 2006 at the Hopewell Valley Central High School.

Motion by Niederer, seconded by Iorio to adopt Resolutions #06-51 through #06-53
MOTION UNANIMOUSLY CARRIED

RESOLUTION #06-51

**A RESOLUTION PROMOTING
SERGEANT THOMAS I. PUSKAS
TO THE POSITION OF LIEUTENANT IN
THE HOPEWELL TOWNSHIP POLICE DEPARTMENT**

BE IT RESOLVED on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that Thomas I. Puskas be promoted to Lieutenant effective March 1, 2006.

BE IT FURTHER RESOLVED that Thomas I. Puskas be compensated at an annual salary of \$102,917.00.

RESOLUTION #06-52

**A RESOLUTION PROMOTING
SERGEANT LANCE D. MALONEY
TO THE POSITION OF LIEUTENANT IN THE
HOPEWELL TOWNSHIP POLICE DEPARTMENT**

BE IT RESOLVED on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that Sergeant Lance D. Maloney be promoted to Lieutenant effective March 1, 2006.

BE IT FURTHER RESOLVED that Lance D. Maloney be compensated at an annual salary of \$102,917.00.

R E S O L U T I O N #06-53

A RESOLUTION PROMOTING PATROLMAN WILLIAM SPRINGER, JR. TO THE POSITION OF SERGEANT IN THE HOPEWELL TOWNSHIP POLICE DEPARTMENT

BE IT RESOLVED on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that Patrolman William Springer, Jr. be promoted to Sergeant effective March 1, 2006.

BE IT FURTHER RESOLVED that William Springer, Jr. be compensated at an annual salary of \$90,115.00.

PRESENTATION – VETERANS’ MEMORIAL PARK

Mayor Sandom recognized veteran servicemen who were present in the audience including Bob Peck, Chuck Rutledge, Severino DiCocco, Tom Blair, and Township Administrator Bruce Hilling.

Mr. Pogorzelski gave a slide presentation that included aerial views of potential sites for a Veterans’ Memorial. He pointed out the southerly quadrant of the Alliger property and recommended the site for the location of the memorial. He noted that there is an old abandoned railroad bed on the property that could be converted into a connecting pathway to open spaces in Hopewell Township. Access to the site would be east of the Timberlane Horse Farm driveway with a separate walkway to the Veterans’ Memorial site that could be called “Memorial Walk.” He added that a circular memorial would be appropriate for a southern exposure and that in the core of such structure would be a flag for each branch of the military with a descriptive plaque. Mr. Pogorzelski concluded that restroom facilities would be needed and that a septic system would be possible on the property.

Mayor Sandom opened comment to the public.

Severino DiCocco, a resident of Poor Farm Road, questioned the number of flags that would be flown at the site. Mr. Pogorzelski responded that the flags representing military branches of service would be flown with the American Flag rising above. Mr. DiCocco also questioned the establishment of a Hopewell Valley veterans’ database for future reference and genealogical purposes, and he volunteered his services.

Tom Blair, a resident of River Drive questioned security at the site.

Sue Niederer, a resident of Lake Baldwin Drive, questioned approval for the construction of houses in the vicinity of the proposed veterans’ memorial. Mr. Pogorzelski replied that the Alliger tract was approved for housing prior to its purchase for open space.

The Committee questioned potential funding sources for the project. Mr. Hilling responded that the veterans’ committee had discussed a number of ideas with respect to fundraising. The Committee endorsed the concept of the project and it was suggested that information be placed on the township’s website and TV channel.

ADDITIONAL ITEMS FOR MEETING AGENDA

Committee Member Iorio asked that a Resolution to appoint members to the Youth Advisory Board be added to the scheduled agenda, and the Committee concurred.

COMMITTEE MEMBER AND STAFF REPORTS

Committee Member Niederer noted that the Historic Preservation Commission has two vacancies and she solicited volunteers who are interested in local history and the promotion of historic preservation in the township. Committee Member Niederer announced that the annual Fire District Election would be held Saturday, February 18, 2006, from 2:00 p.m. to 9:00 p.m. in the Municipal Building. She also reported that members of the township’s Affordable Housing Committee attended a recent Planning Board meeting to discuss the draft Growth Share Ordinance.

Committee Member Murphy reported that the Recreation Department sponsors quarterly seniors’ birthday breakfast, and that approximately 105 senior Hopewell Valley residents attended the

winter event. He noted upcoming recreation programs and events that included an annual ski trip, and a trip to the Performing Arts Center for a concert in tribute to Frank Sinatra. Committee Member Murphy commended the township's Public Works Department and Police Department for their work during a recent snowstorm. He also reported on Public Works activities including the final winter leaf pickup.

Committee Member Sandahl reported on upcoming Planning Board meetings and scheduled discussions concerning the draft Growth Share Ordinance and the Circulation Element of the Master Plan. He further reported that the township's Zoning Board of Adjustment is considering an application for the replacement of an existing cell tower on New Road and an application from the Lewis School of Princeton to relocate part of its operations to a property in Hopewell Township.

Committee Member Iorio reported that township resident Kim Bruno has consented to serve as Chair to the Youth Advisory Board, and that the Township Committee will consider action on a resolution later this evening to appoint ten students as members to said Board. Committee Member Iorio also reported on a meeting of the Hopewell Valley Business Alliance Advisory Committee that included discussion with respect to marketing, membership, meeting logistics and visiting speakers. He added that meetings would be held on the second Thursday of each month. Committee Member Iorio also reported on future meetings of the Open Space Advisory and Agricultural Advisory Committees.

Mr. Hilling announced that the township website has new links for forms for bulky waste pick-up, freon and tire disposal, in addition to links for the Lawrence-Hopewell Trail and Hopewell Youth Basketball. He noted that new bicycle helmet regulations will go into effect March 1, 2006 and that youths under the age of 17 will be required to wear an approved helmet when cycling, roller skating, inline skating or skateboarding.

Ms. Doobraj reported on the status of the Anna Greenwood, et al, rezoning litigation.

Mr. Pogorzelski reported on the following: a meeting with the new officers of the Wellington Manor Homeowners' Association and the developer, Beazer Homes, on transition issues; ongoing work on the Lawrence-Hopewell Trail; Bald Pate Mountain driveway improvements; Route 31 questionnaire to local residents; and repairs to the septic system at the Municipal Athletic Complex.

Ms. Borges gave a status report on the 2006 budget. She also reported on the work of the Township Auditor on the 2005 audit.

PUBLIC SECTION

William Schoelwer, a resident of Westcott Boulevard, questioned the scheduled agenda resolution concerning a tax settlement; also, the proposed ordinance for introduction to permit transfer of development rights for the Martin Tract to the State Agricultural Development Committee, and its financial impact to the township; and contributions from the boroughs of Hopewell and Pennington to the seniors' birthday celebration.

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Sandom read by title the introduced ordinance:

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER X,
“FEES AND PERMITS,” SECTION 10-7 “LAND DEVELOPMENT FEES,”
SUB-SECTION 10-7.1 “APPLICATION FEES AND ESCROW FOR REVIEW”
AND SECTION 10-13 “ZONING,” SUB-SECTION 10-13.1, “APPLICATION
TO THE ZONING BOARD” OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF HOPEWELL**

Mayor Sandom declared the public hearing open. No comments from the public.
Motion by Sandahl, seconded by Murphy to close the public hearing.
MOTION UNANIMOUSLY CARRIED

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

ROLL CALL VOTE:

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

NOES: None

ORDINANCE ADOPTED

Ordinance advertised February 2, 2006 Hopewell Valley News. Posted municipal building bulletin board as required by law.

ORDINANCE NO. 06-1367

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER X, “FEES AND PERMITS,” SECTION 10-7 “LAND DEVELOPMENT FEES,” SUB-SECTION 10-7.1 “APPLICATION FEES AND ESCROW FOR REVIEW” AND SECTION 10-13 “ZONING,” SUB-SECTION 10-13.1, “APPLICATION TO THE ZONING BOARD” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL

**Explanation: Material Bracketed [] is deleted
Material Underlined is added**

BE IT ORDAINED by the Township Committee of the Township of Hopewell as follows:

Section 1. Chapter X, “Fees and Permits,” Section 10-7 “Land Development Fees,” Sub-Section 10-7.1, “Application Fees and Escrow for Review” be and is hereby amended and supplemented as follows:

10-7.1 Application Fees and Escrow for Review. Applicant shall be responsible for payment of an application fee as set forth below together with deposit of an escrow amount to cover the cost of all reasonableness and necessary professional fees related to review of applications for development. For any and all applications, the minimum escrow amount shall be five hundred (\$500.00) dollars.

a. Minor Subdivision.

Type	Application Fee	Escrow Amount
1. Up to three lots (with inclusion of original lot)	\$[200.00] <u>250.00</u>	\$[850.00] <u>950.00</u>
2. Resubmittal of application due to being incomplete	\$[100.00] <u>150.00</u>	\$[850.00] <u>1000.00</u>
3. One hundred sixty (160) day extension request for signature of plans	\$[25.00] <u>35.00</u>	--
4. Amendment or extension of minor Subdivision approval	\$[100.00] <u>150.00</u>	\$[750.00] <u>850.00</u>
5. Conceptual review	\$[100.00] <u>150.00</u>	\$1200.00] <u>1500.00</u>

b. Site Plan Review.

Type	Application Fee	Escrow Amount
1. Preliminary plan – nonresidential	\$[350.00] <u>400.00</u>	\$[1000.00] <u>1200.00</u> plus \$3.00 per 100 s.f. of improvements up to 1,000,000 s.f.
If more than 1,000,000 s.f.	\$[600.00] <u>700.00</u>	\$[750.00] <u>850.00</u> plus \$2.00 per 100 s.f. of improvements thereafter
2. Final plan – nonresidential	\$[250.00] <u>300.00</u>	\$[750.00] <u>850.00</u> plus \$3.00 per 100 s.f. of improvements up to 1,000,000 s.f.
If more than 1,000,000 s.f.	\$[500.00] <u>600.00</u>	\$[500.00] <u>600.00</u> plus \$1.00 per s.f. of improvements thereafter
3. Preliminary plan – residential	\$[250.00] <u>300.00</u>	\$[500.00] <u>600.00</u> plus \$50.00 per unit
4. Final plan – residential	\$[200.00] <u>250.00</u>	\$[500.00] <u>600.00</u> plus \$50.00 per unit
5. Resubmittal of preliminary or final application due to being incomplete -nonresidential	\$[150.00] <u>200.00</u>	\$[500.00] <u>600.00</u> plus \$2.50 per 100 s.f. of improvements up to 1,000,000 s.f. of improvements
If more than 1,000,000 s.f.	\$[300.00] <u>350.00</u>	\$[500.00] <u>600.00</u> plus \$0.50 per 100 s.f. of improvements thereafter
6. Resubmittal of preliminary or final Application due to being incomplete -residential	\$[150.00] <u>200.00</u>	\$[500.00] <u>600.00</u> plus \$10.00 per unit
7. Conceptual review	\$[150.00] <u>250.00</u>	\$[1500.00] <u>2000.00</u> up to 100,000 s.f. of improvements
If more than 100,000 s.f.	\$[300.00] <u>350.00</u>	\$[5000.00] <u>7500.00</u> up to 1,000,000 s.f. of improvements

	If more than 1,000,000 s.f.	[\$500.00] <u>600.00</u>	\$10,000.00 over 1,000,000 s.f. of improvements
8.	Amendment or revalidation of preliminary or final site plan-nonresidential	[\$200.00] <u>250.00</u>	[\$750.00] <u>850.00</u>
	If more than 1,000,000 s.f.	[\$250.00] <u>300.00</u>	s.f. of improvements up to 1,000,000 s.f. plus \$1.00 per 100 s.f. of improvements thereafter
9.	Amendment or revalidation of preliminary or final site-residential	[\$150.00] <u>250.00</u>	[\$500.00] <u>600.00</u> plus \$10.00 per unit
10.	Waiver of site plan approval	[\$150.00] <u>200.00</u>	[\$1200.00] <u>1500.00</u>
11.	One hundred eighty (180) day extension for signature of plans	[\$25.00] <u>35.00</u>	None
12.	Extension request for signature of plans following expiration of initial 180 day extension	[\$100.00] <u>150.00</u>	[\$350.00] <u>400.00</u>
13.	Extension of vesting period approvals	[\$100.00] <u>200.00</u>	[\$750.00] <u>850.00</u>
c.	Major Subdivision		
	Type	Application Fee	Escrow Amount
1.	Preliminary plan (with inclusion of Original lot)	[\$400.00] <u>450.00</u>	[\$1200.00] <u>1500.00</u>
2.	Final plat (with inclusion of original lot)	[\$300.00] <u>350.00</u>	[\$1000.00] <u>1200.00</u>
3.	Resubmittal of application for preliminary or final due to being incomplete	[\$150.00] <u>200.00</u>	[\$750] <u>850.00</u> plus \$50.00 per lot
4.	Conceptual review	[\$250.00] <u>300.00</u>	[\$1500.00] <u>1800.00</u> plus \$50.00 per lot
5.	Amendment or revalidation of preliminary or final subdivision	[\$150.00] <u>250.00</u>	\$1000.00 plus \$50.00 per lot
6.	One hundred eighty (180) day extension for signature of plans	[\$25.00] <u>35.00</u>	None
7.	Extension request for signature of plans following expiration of initial 180 day extension	[\$100.00] <u>150.00</u>	[\$350.00] <u>400.00</u>
8.	Extension of vesting period approvals	[\$100.00] <u>200.00</u>	[\$750.00] <u>850.00</u>
d.	Conditional use permit	[\$150.00] <u>200.00</u>	[\$1200.00] <u>1500.00</u>
e.	General development plan or amendment	[\$500.00] <u>750.00</u>	[\$5000.00] <u>7500.00</u>
f.	Exemption from Application Fee and/or Escrow Amount.		
	1. All charitable, philanthropic, fraternal and religious nonprofit organizations shall be exempt from the payment of application fees and escrow amounts as required by this section, provided that:		
	(a) The nonprofit organization holds a tax exempt status under the Federal Internal Revenue Code of 1954 (26 U.S.C. Sections 501(c) or (d); and		
	(b) The nonprofit organization is submitting a development application for a minor or major subdivision, which shall preserve open space or farmland, and shall not create any new buildable lots.		
	2. The board of education shall be exempt from the payment of application fees as required by this section.		
	3. Disabled persons, or a parent or sibling of a disabled person, shall be exempt from the payment of application fees as required by this section, provided that the application relates to development which promotes accessibility to the disabled person's own living unit.		
g.	Site plan application fees and escrows for communications and wireless telecommunications towers, antennas, facilities and equipment shall be as follows:		
	1. If no new tower is proposed, an application fee of \$5,000.00 and an escrow fee of \$2,500.00.		
	2. If a tower is proposed, an application fee of \$10,000 and an escrow fee of \$5,000.00.		
	Section 2. Chapter X, "Fees and Permits," Section 10-13 "Zoning," Sub-Section 10-13.1, "Application to Zoning Board," be and is hereby amended and supplemented as follows:		
	10-13.1 Application to Zoning Board.		
a.	Appeal of Decision of Zoning Officer.		
	Fee.....		\$100.00
	Escrow.....	[\$500.00]	<u>750.00</u>
b.	Interpretation of Zoning Ordinance.		
	Fee.....		\$100.00
	Escrow.....		\$600.00
c.	Bulk Variance/Hardship Variance.		
	Residential fee.....	[\$60.00]	<u>100.00</u>
	Escrow.....	[\$500.00]	<u>750.00</u>
	Nonresidential fee.....	[\$100.00]	<u>200.00</u>
	Escrow.....	[\$600.00]	<u>1,000.00</u>
d.	Use Variance.		
	Residential fee.....		\$250.00

Escrow.....	\$[750.00]1,000.00
Nonresidential fee	\$500.00
Escrow.....	\$1,500.00

Residential Fee/Escrow – applications in residential zones.

Nonresidential Fee/Escrow – application in other than residential zones or for other than residential uses.

In the event the escrow amount is depleted, no further action will be taken until such time as an additional amount is deposited as determined by the township.

e. Exemption from Application Fee and/or Escrow Amount.

1. All charitable, philanthropic, fraternal and religious non profit organizations shall be exempt from the payment of application fees and escrow amounts as required by this section, provided that:

(a) **The nonprofit organization holds a tax exempt status under the Federal Internal Revenue Code of 1954 (26 U.S.C. Sections 501(c) or (d); and**

- (b) The nonprofit organization is submitting a development application for a minor or major subdivision, which shall preserve open space or farmland, and shall not create any new buildable lots.

2. The board of education shall be exempt from the payment of application fees as required by this section.

3. Disabled persons, or a parent or sibling of a disabled person, shall be exempt from the payment of application fees as required by this section, provided that the application relates to development which promotes accessibility to the disabled person’s own living unit.

Section 3. This ordinance shall take effect upon final adoption and publication in accordance with law.

ORDINANCE – INTRODUCTION AND FIRST READING

Mayor Sandom read by title the Ordinance for introduction.

**AN ORDINANCE AMENDING ORDINANCE NO. 05-1338
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 2005**

Mr. Hilling explained that the proposed ordinance amends the township's current salary and wage plan to provide job classifications and salary ranges for certain Hopewell Township police personnel.

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

ROLL CALL VOTE:

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

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date February 27, 2006.

ORDINANCE – INTRODUCTION AND FIRST READING

Mayor Sandom read by title the Ordinance for introduction:

**AN ORDINANCE PERMITTING THE TRANSFER OF
DEVELOPMENT RIGHTS FOR PROPERTY COMMONLY
KNOWN AS THE MARTIN TRACT TO THE
STATE AGRICULTURAL DEVELOPMENT COMMITTEE**

Mayor Sandom explained that the proposed ordinance authorizes the sale of a development easement on the Martin Tract to the State Agricultural Development Committee. She noted that the transfer will result in approximately 2.1 million dollars for the township. She further noted that subsequent to adoption of the ordinance the township would discuss proposals as to the use of the property from representatives of various groups including the D&R Greenway, Elm Ridge Area Neighborhood Association and open space groups.

Motion by Sandahl, seconded by Niederer to introduce the ordinance on first reading.

ROLL CALL VOTE:

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

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date February 27, 2006.

CONSENT AGENDA ITEMS

RESOLUTIONS # 06-54 THROUGH #06-61. Read by title.
 Motion by Iorio, seconded by Niederer to adopt Resolutions #06-54 through #06-61.
MOTION UNANIMOUSLY CARRIED

RESOLUTION #06-54

**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 14th day of February 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:

Claire Thomas	5 Woodmere Way, Pennington, NJ 08534	\$90.00
Kathy Nelson	3 Arvida Drive, Pennington, NJ 08534	\$90.00
Debbie Enourato	2500 Pennington Road, Pennington, NJ 08534	\$250.00
Janet Riemer	256 Pennington Harbourton Rd., Pennington, NJ 08534	\$70.00

RESOLUTION #06-55

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

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

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

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That Temporary Bond Money (\$1,129.50) for Engineering and (\$2,000.00) for Health and (\$1,000.00) for Driveway, for Block 43.26, Lot 1, posted on 11/6/01, be and is hereby released.
2. That Temporary CO Bond Money (\$1,000.00) for Driveway and (\$500.00) for Building for Block 78, Lot 7.20, posted on 8/17/04 & 8/30/04 and (\$1,000.00) for Driveway Bond money for Block 78, Lot 7.36, posted on 10/12/04 by Beazer Homes, 250 Phillips Blvd., Suite 290, Trenton, NJ 08618 be and is hereby released.
3. That Driveway Bonds Money (\$1,000.00) for Block 78, Lot 9.07, posted on 7/22/03 and (\$1,000.00) for Block 78, Lot 9.23, posted on 6/15/04 by Beazer Homes, 250 Phillips Blvd., Suite 290, Trenton, NJ 08618 be and is hereby released.
4. That release of Driveway Bond Money (\$1,000.00) for Block 15, Lot 2.06, posted on 12/22/04 by Palomar Associates, Inc., 10 Allerton Road, Lebanon, NJ 08833 be and is hereby released.
5. That Engineering Bond Money (\$2,190.00) for Block 28, Lot 6.01, posted on 8/20/03, by Summit Development Corp., P.O. Box 7, Hopewell, NJ 08525, be and is hereby released.
6. That Engineering Bond Money (\$500.00) for Block 28, Lot 6.01, posted on 8/20/03, be and is hereby released.

RESOLUTION #06-56

**A RESOLUTION REJECTING BIDS FOR
 THE DEMOLITION OF STRUCTURES
 AT 115 ROUTE 31 NORTH**

BE IT RESOLVED, on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer and State of New Jersey, that the bids received on December 21, 2005, for the demolition of structures at 115 Rte 31N, be and are hereby rejected due to the fact that the Township decided to change the scope of work and rebid the demolition.

RESOLUTION #06-57

**A RESOLUTION AUTHORIZING THE PURCHASE OF
 COMMODITIES FROM STATE CONTRACT VENDORS**

WHEREAS, the Township of Hopewell will have a need to purchase various commodities in the 2006 fiscal year; and

WHEREAS, it is anticipated that the aggregate purchase amount will exceed the bidding threshold of \$29,000., as established in the Local Public Contracts Law; and

WHEREAS, the State of New Jersey Department of Treasury, Division of Purchase and Property, has publicly bid all contracts listed below and has authorized State Contracts; and

WHEREAS, the Local Public Contract Law permits the use of the same State Contracts by a New Jersey municipality; and

WHEREAS, let it be known, this may be a partial listing. Further resolutions may be required; and

WHEREAS, the maximum aggregate purchase amount may not exceed \$50,000. with the exception of Pedroni Fuel, \$200,000, and Majestic Oil Co. \$200,000, Trap Rock Industries \$200,000 and Winner Ford: \$200,000.

NOW, THEREFORE, BE IT RESOLVED on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that it hereby authorized the purchase of commodities from the following State Contract vendors:

<u>Vendor</u>	<u>Commodity</u>	<u>NJ State Contract</u>
Majestic Oil Co.	Diesel Fuel	41864
GovConnection	Computer Software, & Licensing	81214
Motor Parts of West Trenton	Automotive Parts & Accessories (repairs excluded)	56224
Pedroni Fuel	Gasoline, Automotive, Unleaded	44178
W. B. Mason Company, Inc.	Stationery & Office Supplies	59767
Motorola Communication	Radio Communication Equipment & Accessories	53804
Seely Equipment & Supply	Parts & Repairs for Agricultural/ Lawn Equipment	58291
Winner Ford	Motor Vehicles, Law Enforcement	45069

RESOLUTION #06-58

A RESOLUTION TO AUTHORIZE THE TOWNSHIP OF HOPEWELL TO CONTRACT WITH THE TOWNSHIP OF HAMILTON FOR HEALTH SERVICES FOR 2006

WHEREAS, it is the desire of the Governing Body of the Township of Hopewell to contract with the Township of Hamilton for provision of certain sexually transmitted disease (STD) clinic services for the term January 1, 2006 through December 31, 2006; and

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq permits local units of the State to enter into a contract with any other local unit for the provision of any service which any party to the agreement is empowered to render within its own jurisdiction.

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the Mayor and Clerk be and hereby are authorized to enter into an Interlocal Services Agreement with the Township of Hamilton for certain health services for 2006. Said services shall be furnished and rendered by the Township of Hamilton pursuant to a contract, a copy of which is annexed hereto.

RESOLUTION #06-59

A RESOLUTION APPOINTING GEORGE C. MEYER AS EXECUTIVE COORDINATOR OF THE HOPEWELL VALLEY OFFICE OF EMERGENCY MANAGEMENT

WHEREAS, the Township of Hopewell is a member of the Hopewell Valley Office of Emergency Management, a regional office that includes the Boroughs of Hopewell and Pennington; and

WHEREAS, Hopewell Township Police Chief Michael A. Chipowsky has served as the Executive Coordinator of the Hopewell Valley Office of Emergency Management for the past ten years; and

WHEREAS, Chief Chipowsky is retiring from this position effective March 1, 2006; and

WHEREAS, George C. Meyer will be appointed Chief of Police for the Township of Hopewell effective March 1, 2006.

NOW, THEREFORE, BE IT RESOLVED on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that George C. Meyer is hereby appointed Executive Director of the Hopewell Valley Office of Emergency Management effective March 1, 2006.

R E S O L U T I O N #06-60

A RESOLUTION ESTABLISHING AN ANNUAL SALARY FOR GEORGE MEYER AS HOPEWELL TOWNSHIP CHIEF OF POLICE

WHEREAS, on January 3, 2006 the Hopewell Township Committee appointed George Meyer as Hopewell Township Police Chief effective March 1, 2006; and

WHEREAS, the Hopewell Township Committee has determined the annual salary for this appointment.

NOW, THEREFORE, BE IT RESOLVED on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that effective March 1, 2006, George Meyer shall be paid an annual salary of \$115,000.

R E S O L U T I O N #06-61

A RESOLUTION APPOINTING MARCI R. FRIEDMAN AS CERTIFIED SIGN LANGUAGE INTERPRETER IN THE MUNICIPAL COURT

BE IT RESOLVED on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That Marci R. Friedman be and is hereby appointed as Certified Sign Language Interpreter for the Municipal Court.
2. That Ms. Friedman will appear in the Hopewell Township Municipal Court for the purposes of translating for deaf and hard of hearing clients of the Municipal Court.
3. That Ms. Friedman shall be paid as follows: \$175.00 per diem and does not charge travel and toll expenses.

RESOLUTION # 06-62. Read by title.

Motion by Sandahl, seconded by Murphy to adopt Resolution #06-62.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-62

2005 BUDGET TRANSFER RESOLUTION #6

BE IT RESOLVED on this 14th day of February 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 2005 Budget appropriations as follows:

From:			
	Solid Waste Recycling O/E	39,960.48	
	Telephone	1,559.56	
	Total		\$41,520.04
To:			
	Legal O/E	14,720.47	
	Engineering O/E	25,240.01	
	Utilities	1,559.56	
	Total		\$41,520.04

RESOLUTION #06-63. Read by title.

Motion by Sandahl, seconded by Murphy to adopt Resolution #06-63.

ROLL CALL VOTE:

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

NOES:None

R E S O L U T I O N #06-63

A RESOLUTION FOR AN EMERGENCY TEMPORARY APPROPRIATION

WHEREAS, an emergent condition has arisen with respect to the Police O/E, Disability O/E and Motor Fuels O/E Budgets and no adequate provision has been made in the 2006 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 2006 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$414,621.00;

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of February 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 the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:
 - Police O/E \$130,000.00
 - Disability O/E \$1,000.00
 - Motor Fuels O/E \$40,000.00
2. That said emergency temporary appropriation has been provided for in the 2006 budget under the title of:
 - As listed in 1 above
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

RESOLUTION #06-64. Read by title.
 Motion by Sandahl, seconded by Murphy to adopt Resolution #06-64.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-64
A RESOLUTION CANCELING
CAPITAL APPROPRIATION BALANCES

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

WHEREAS, it is necessary to formally cancel said balances;

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following unexpended and dedicated balances of Capital Appropriations be cancelled:

ORD NO.	PROJECT DESCRIPTION	CANCELED UNFUNDED
02-1263	Section 20	384.00
04-1314	Heat pump/installation	7,000.23
04-1314	Parking Lot lights	1,400.00
04-1314	Improvements:	
	Marshall's Corner School House	1,000.00
	Mt Rose Distillery	4,000.00
04-1314	Well Remediation	49,000.00
04-1314	Office Equipment	3,791.57
04-1314	Vehicles	.43
04-1314	Timberlane Sidewalk	149,958.00
03-1304	Dublin Sidewalks	2,693.29
03-1304	Section 20	1,095.78
03-1304	Road Improvements	40,600.00
03-1279	Computer/Radio upgrades	9,661.00
03-1279	Computer Equipment	6,815.72
03-1279	Parcel Map	10,700.00
03-1279	Data Viewer	500.00
03-1279	Section 20	6,115.46
03-1279	Skate Park Equip	1,550.03
04-1315	Section 20	30.53
04-1315	Equipment upgrades	13,085.00
04-1315	Generator upgrades	70,000.00
03-1280	Shed for controls	3,000.03
02-1253	Water system improvements	42,336.96
03-1281	Sub pump	329.67
03-1274	Concrete steps	48,575.00
03-1274	Parking lot	145,000.00
03-1274	Section 20	<u>235,226.19</u>
	TOTAL	853,848.89

RESOLUTION # 06-65. Read by title.

Mr. Pogorzelski stated that the proposed agreement is a condition of the township's Planning Board approval of the Bristol-Myers Squibb (BMS) General Development Plan. He noted that the agreement had been reviewed and approved by township professionals. Mr. Pogorzelski noted that

Attorney Christopher Tarr, representing BMS, was present in the audience. Mr. Tarr noted a minor language clarification suggested by Planning Board Attorney Schmierer had been added to the agreement.

Mayor Sandom solicited comments from the public.

Erwin Harbat, a resident of Woosamonsa Road and former member of the township's Planning Board, thanked everyone involved in the development process, and expressed support for the document.

Motion by Sandahl, seconded by Iorio to adopt Resolution #06-65.

ROLL CALL VOTE:

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

NOES: None

R E S O L U T I O N #06-65

RESOLUTION APPROVING DEVELOPER'S CONSTRUCTION AGREEMENT BETWEEN THE TOWNSHIP OF HOPEWELL AND BRISTOL-MYERS SQUIBB COMPANY/BLOCK 46, LOT 8.01 GENERAL DEVELOPMENT PLAN

BE IT RESOLVED, on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That the DEVELOPER'S CONSTRUCTION AGREEMENT between the Township of Hopewell and Bristol-Myers Squibb Company for Block 46, Lot 8.01 General Development Plan, which is annexed to and made a part of this Resolution be and is hereby approved.

2. That the Mayor and Municipal Clerk be and are hereby authorized to execute said Developer's Agreement between the Township of Hopewell and Bristol-Myers Squibb Company.

RESOLUTION #06-66. Read by title.

Committee Member Sandahl explained that the proposed resolution would affirm the township's support of the trail, and specifically approve an application for planning assistance grant monies available from the Municipal Land Use Center and authorizing the Mayor to sign such grant application.

Motion by Sandahl, seconded by Murphy to adopt Resolution #06-66.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-66

A RESOLUTION SUPPORTING THE LAWRENCE HOPEWELL TRAIL

WHEREAS, the Lawrence Hopewell Trail is a 20-mile loop of multi-use recreational trails that will link state, county and municipal parks, public and private open space properties, corporate campuses in Lawrence and Hopewell Townships; and

WHEREAS, the Lawrence Hopewell Trail will provide the basis for linking Hopewell Township, Lawrence Township, Hopewell Borough, and Pennington Borough, the middle and high school campuses of the Hopewell Valley Regional School District, the Municipal Athletic Complex and the D&R Canal path; and

WHEREAS, the Lawrence Hopewell Trail is a joint effort of Lawrence and Hopewell Townships, Mercer County, D&R Greenway, and Stony Brook-Millstone Watershed Association, Bristol Myers-Squibb, and the Educational Testing Service; and

WHEREAS, the Lawrence Hopewell Trail will provide a safe, accessible off-road path for bicyclists, walkers, runners, skaters and others connecting varied points of interest where there are few such opportunities exist today, and

WHEREAS, extension of the Lawrence Hopewell Trail is consistent with state Safe Roads to Schools polices and the Hopewell Township Master Plan,

NOW, THEREFORE, BE IT RESOLVED on this 14th day of February 2006, that the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, supports the Lawrence Hopewell Trail; and

BE IT FURTHER RESOLVED that Hopewell Township will apply for planning assistance grant funds offered by the Municipal Land Use Center in conjunction with Pennington Borough and that the Mayor of Hopewell Township is authorized to sign such grant application; and

BE IT FURTHER RESOLVED that Hopewell Township will join with other Lawrence Hopewell Trail participants in seeking appropriate state and Federal funding for planning, construction and maintenance of the Lawrence Hopewell Trail; and

BE IT FURTHER RESOLVED that Hopewell Township invites the New Jersey Department of Transportation to hold a public hearing on the planned Lawrence Hopewell Trail for residents of Lawrence Township and Hopewell Township at the Hopewell Township Municipal Building on March 29, 2006.

RESOLUTION #06-67. Read by title.

Committee Member Niederer explained that the resolution supports NJDOT's recommendations for left turn prohibitions at the intersection of Route 31 with Diverty Road. Mr. Pogorzelski added that NJDOT would immediately act to post signage and complete necessary legal paperwork for enforceability of the prohibitions.

Motion by Niederer, seconded by Sandahl to adopt Resolution #06-67.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-67

**A RESOLUTION OF SUPPORT FOR
LEFT TURN PROHIBITIONS ON
ROUTE 31 AT DIVERTY ROAD**

WHEREAS, many accidents have occurred along the segment of Route 31 between Interstate 95 and the Pennington Circle; and

WHEREAS, these accidents have included head-on collisions and fatalities; and

WHEREAS, a primary contributing factor to these accidents are left turns from Route 31; and

WHEREAS, Hopewell Township has requested the NJDOT to reduce speed limits and study all other options to eliminate the hazards and factors contributing to these accidents along this particular segment of Route 31 in Hopewell Township; and

WHEREAS, the NJDOT has, for the over past year, conducted its evaluations and has held several public meetings to discuss resident opinions of alternatives that can be implemented in the short term to minimize the factors that are contributing to these accidents; and

WHEREAS, the NJDOT has offered a recommendation that full time Left Turn Prohibitions be implemented in the vicinity of the intersection of Route 31 with Diverty Road, and

WHEREAS, the residents of Diverty Road as recognized stakeholders in any decision along Route 31, have indicated support for such restrictions.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee formally supports the NJDOT recommendation for No Left Turns into or out of Diverty Road and the Commercial Access Drive located opposite Diverty Road on the east side of Route 31, and that it also supports the construction of concrete islands at each of these two intersections to identify this traffic restriction.

RESOLUTION #06-68. Read by title.

Mayor Sandom explained that the proposed resolution would effect certain changes to the Bylaws of the Township Committee Rules of Procedure and Conduct of Business. She indicated she wished to remove limiting comments and questions on items not on the agenda from the first Public Comment section. Committee members offered changes to the proposed resolution with respect to the order of the agenda.

Motion by Mayor Sandom, seconded by Sandahl to adopt Resolution #06-68 as amended.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-68

**A RESOLUTION ESTABLISHING BYLAWS OF
THE HOPEWELL TOWNSHIP COMMITTEE
RULES OF PROCEDURE AND CONDUCT OF BUSINESS**

BE IT RESOLVED, on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, New Jersey, that meetings of the Hopewell Township Committee, as provided for in Chapter II. "Administration," Section 2-1.6 of the Revised General Ordinances of the Township of Hopewell, New Jersey (1978) shall be conducted in the following manner:

1. **Quorum.** The majority of the whole number of the members of township committee shall constitute a quorum and no ordinance shall be adopted by the township committee without the affirmative vote of a majority of the quorum of the township committee.

2. **Order of Agenda.** The township committee agenda shall have the following order of business:
 - A. Call meeting to order and statement of proper notice by mayor;
 - B. Roll call by municipal clerk;
 - C. Pledge of allegiance and salute to the flag;
 - D. Review and approval of minutes;
 - E. Additional items for meeting agenda (by vote of a majority of the quorum);
 - F. Committee member and staff reports;
 - G. Comments from members of the public;
 - H. Ordinance final hearings, public hearings and adoption;
 - I. Ordinance introduction and first reading;
 - J. Consent agenda (contains items of a routine nature, which are approved by a single vote);
 - K. Future agenda items (members of the township committee may suggest future agenda items at this time; members of the public may do so in accordance with Sec. 2-1.6(a) of the Township Code);
 - L. Work session (comments from the audience usually not permitted);
 - M. Additional comments from the audience (if time permits);
 - N. Executive session resolutions (if necessary) for items that may be discussed in closed session as defined by the New Jersey Open Public Meetings Act);
 - O. Adjournment not later than 10:30 pm
3. **Rules of Debate.**
 - A. The mayor shall be the presiding officer of the meeting. In the absence of the mayor, the deputy mayor shall be the presiding officer. In the absence of the mayor and deputy mayor, the next most senior member of township committee shall be the presiding officer. The presiding officer may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members of township committee and shall not be deprived of any rights or privileges of a township committee member by reason of acting as presiding officer.
 - B. Every member of the township committee or public desiring to speak shall address the chair and, upon recognition by the presiding officer, shall confine him or herself to the question under discussion.
 - C. A member of the township committee, once recognized, shall not be interrupted when speaking unless it be to call him or her to order, or as herein otherwise provided. If a member of township committee, while speaking, is called to order, he or she shall cease speaking until the question of order is determined. If the member is in order, he or she shall be permitted to proceed. The presiding officer may limit the length of comments made by any member of Township Committee.
 - D. A member of the township committee moving the adoption of an ordinance or resolution shall have the privilege of closing debate.
 - E. The clerk shall enter into the minutes a synopsis of the discussion about any question coming before the township committee.
 - F. A member of the township committee may request, through the presiding officer, the privilege of having an abstract of his or her statement on any subject under consideration by the township committee entered into the township minutes.
 - G. A motion to adjourn shall always be in order and shall be decided without debate.
 - H. Any matter not covered by these by-laws or other relevant laws shall be governed by the latest edition of Roberts Rules of Order. The Roberts Rules of Order shall be utilized, if necessary, by the township committee and shall not be invoked by members of the public.
 - I. On a roll call vote, the township committee shall vote alphabetically with the presiding officer voting last. During the course of a vote on a given matter, each member of Township Committee shall be permitted to succinctly set forth on the public record his or her position prior to casting his or her vote. In allowing these comments before a committee person votes, the presiding officer shall allow for the aforementioned comments, even if said comments will express a minority view on a given issue.
 - J. When recognizing members of the public wishing to speak on matters on the township committee agenda or items not listed on said agenda, the following procedures shall be followed:
 - i) Upon recognition by the chair, a person wishing to address the township committee shall proceed to the floor and give his or her name and address in an audible tone of voice for the record. The presiding officer may, if necessary, because of the number of persons wishing to address the township committee, limit a statement to three minutes per speaker. Statements shall be addressed to the township committee as a body and not to any individual member of township committee. A member of the township committee shall not direct any question to a speaker addressing the committee except through the presiding officer. All comments made during this public forum by persons from the floor or responses through the presiding officer by township committee shall at all times be civil and

courteous. In accordance with Section 2-1.6(a) of the Township Code, the presiding officer may, where the subject matter so requires, designate another member of the Township Committee to respond on behalf of said committee to comments made by the public on a given issue. The other members of Township Committee, however, through the presiding officer, shall also be given an opportunity to respond.

4. **Sergeant at Arms.** The presiding officer may request that the chief of police designate a police officer to serve as a sergeant at arms at township committee meetings. He or she shall carry out all of the orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the township committee meetings and it shall be his or her duty to escort any person who violates the order and decorum of the meeting from township hall.
5. **Parliamentarian.** The township attorney shall be the parliamentarian for the township committee meeting in order to rule upon questions associated with compliance with these by-laws, other relevant laws and rules of order as requested by the presiding officer.
6. **Miscellaneous.**
 - A. If a member of the township committee knows he or she will not be available for a township committee meeting, said member shall notify the municipal clerk at least 48 hours or as soon as practicable prior to the township committee meeting.
 - B. No member of the township committee shall discuss or disseminate any information made available to the township committee on a confidential basis. This shall include not disclosing any information discussed by the township committee during the course of the township committee closed or executive session.
 - C. Committee members may be polled by the Administrator or Attorney means of "communication equipment" (telephone, e-mail, etc.) in order to achieve a consensus on an issue which cannot await formal action on a Township Committee agenda. This practice shall be utilized infrequently and the issue on which a consensus was reached shall be placed for formal action on the next available Township Committee agenda.
 - D. All members of the township committee shall adhere to the provisions of the New Jersey Code of Ethics for local government officers attached hereto as Exhibit A and made a part hereof.
 - E. All members of township committee shall adhere to the provisions of the Hopewell Township Pay to Play Ordinance, a copy of which is attached hereto as Exhibit B and made a part hereof.

RESOLUTION #06-69. Read by title.

Mr. Pogorzelski explained that the proposed resolution would decrease the total amount of the contract with Intercounty Paving Associates for the 2004 Road Program by \$165,000.

Motion by Iorio, seconded by Sandahl to adopt Resolution #06-69

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-69

**A RESOLUTION AUTHORIZING CHANGE ORDER #3
TO THE CONTRACT WITH INTERCOUNTY PAVING
ASSOCIATES FOR 2004 ROAD MAINTENANCE PROGRAM**

WHEREAS, on May 24, 2004, the Township Committee of the Township of Hopewell authorized a contract with Intercounty Paving Associates in the amount of \$939,593.75 for 2004 Road Maintenance Program; and

WHEREAS, on September 27, 2004, the Township Committee approved change order #1, which increased the total contract amount to \$963,093.75; and

WHEREAS, on April 25, 2005, the Township Committee approved change order #2, which decreased the total contract to \$936,378.84; and

WHEREAS, the Township Engineer recommends that Change Order #3, which decreases the total contract amount by \$165,800.77 be approved by the Township Committee for the reasons outlined in his memorandum and supporting documentation dated January 4, 2006, which is annexed hereto and made a part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED on the 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer and State of New Jersey:

1. That Change Order #3 representing a decrease in the amount of \$165,800.77 be and is hereby approved with respect to the contract for 2004 Road Maintenance Program.
 2. That all Change Orders be a 17.99 percent decrease to the total contract amount, for a new contract amount with Intercounty Paving Associates of \$770,578.07.
-

RESOLUTION #06-70. Read by title.
Motion by Sandahl, seconded by Murphy to adopt Resolution #06-70.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-70

**A RESOLUTION AMENDING 2005
PROFESSIONAL SERVICES AGREEMENT
(MASON, GRIFFIN & PIERSON)
(VAN CLEEF ENGINEERING ASSOCIATES)**

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

WHEREAS, it is necessary to amend the 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 14th day of February 2006, 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:

<u>FIRM</u>	<u>CURRENT MAXIMUM</u>	<u>PROPOSED MAXIMUM</u>
Mason, Griffin & Pierson (General Legal)	\$92,793.38	\$96,417.05
Van Cleef Engineering Associates (Township Engineer Services)	\$155,000.00	\$187,656.97

RESOLUTION #06-71. Read by title.
Motion by Iorio, seconded Niederer by to adopt Resolution #06-71.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-71

**A RESOLUTION AUTHORIZING
PROFESSIONAL SERVICES AGREEMENTS**

WHEREAS, there exists a need for professional services for the following: to assist the township with legal services relating to tax appeals and appraisal services; and

WHEREAS, the estimated costs of the contracts are \$20,000 to assist with legal services relating to tax appeals; and \$20,000 for appraisal services; and funds will be 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 agreements with:

Harry Haushalter, 2119 Route 33, Suite A, Hamilton Square, NJ 08690 for legal services relating to tax appeals; and

Thomas A. DeMartin, DeMartin Schwartz, 2512 Nottingham Way, Mercerville, NJ 08619 for appraisal services.

2. These contracts are 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 #06-72. Read by title.
Motion by Niederer, seconded Iorio by to adopt Resolution #06-72.
MOTION UNANIMOUSLY CARRIED

RESOLUTION #06-72

**A RESOLUTION TO AUTHORIZE THE
TOWNSHIP OF HOPEWELL TO CONTRACT WITH
THE BOROUGH OF PENNINGTON AND THE BOROUGH OF
HOPEWELL FOR SALT PURCHASES AND DELIVERY SERVICES**

WHEREAS, it is the desire of the Governing Body of the Township of Hopewell to provide Salt Purchases and Delivery Services for residents of the Borough of Pennington and the Borough of Hopewell; and

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq permits local units of the State to enter into a contract with any other local unit for the provision of any service which any party to the agreement is empowered to render within its own jurisdiction; and

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the Mayor and Clerk be and hereby are authorized to enter into an Interlocal Services Agreements with the Borough of Pennington and the Borough of Hopewell for Salt Purchases and Delivery Services for the period January 1, 2006 to December 31, 2006. Said services shall be furnished and rendered by the Township of Hopewell pursuant to an agreement, in a form similar to that which is attached hereto.

RESOLUTION #06-73. Read by title.
Motion by Niederer, seconded by Murphy to adopt Resolution #06-73.
MOTION UNANIMOUSLY CARRIED

RESOLUTION #06-73

**A RESOLUTION TO AUTHORIZE THE
TOWNSHIP OF HOPEWELL TO CONTRACT WITH
THE BOROUGH OF PENNINGTON FOR POLICE
DISPATCHING AND EMERGENCY COMMUNICATIONS SERVICES**

WHEREAS, it is the desire of the Governing Body of the Township of Hopewell to provide Police Dispatching and Emergency Communications services for residents of the Borough of Pennington; and

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq permits local units of the State to enter into a contract with any other local unit for the provision of any service which any party to the agreement is empowered to render within its own jurisdiction; and

NOW, THEREFORE, BE IT RESOLVED on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Mayor and Clerk be and hereby are authorized to enter into an Interlocal Services Agreement with the Borough of Pennington for Police Dispatching and Emergency Communications Services for the period January 1, 2006 to December 31, 2008. Said services shall be furnished and rendered by the Township of Hopewell pursuant to an agreement, in a form similar to that which is attached hereto.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be distributed to the Pennington Borough Administrator/Clerk, the Hopewell Township Chief of Police, and the Hopewell Township Chief Financial Officer.

RESOLUTION #06-74. Read by title.
Motion by Sandahl, seconded by Iorio to adopt Resolution #06-74.
MOTION UNANIMOUSLY CARRIED

RESOLUTION #06-74

**A RESOLUTION APPROVING THE TRANSFER OF
A COMCAST CABLEVISION TECHNOLOGY GRANT
FROM THE TOWNSHIP OF HOPEWELL TO THE
HOPEWELL VALLEY SCHOOL DISTRICT**

WHEREAS, the Hopewell Township Committee adopted an Ordinance on December 4, 2003 entitled: An Ordinance Granting Renewal of Municipal Consent to Comcast Cablevision of Southeast Pennsylvania, Inc., to Construct, Connect, Operate and Maintain a Cable Television and Communications System in the Township of Hopewell, Mercer County, New Jersey; and

WHEREAS, the Ordinance specifically states that Comcast Cablevision shall provide a one time technology grant in the amount of \$60,000 to the Township for access channel support as stated in Section 16, Paragraph D of the Ordinance; and

WHEREAS, the Hopewell Township Committee has received a request from the Hopewell Valley School system to utilize the \$60,000 grant for the establishment of a new access channel support program.

NOW, THEREFORE, BE IT RESOLVED on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the Hopewell Township Committee hereby approves the transfer of the \$60,000 Comcast Technology Grant to the Hopewell Valley School District, effective February 14, 2006.

RESOLUTION #06-75. Read by title.
Motion by Iorio, seconded by Sandahl to adopt Resolution #06-75.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N # 0 6 - 7 5

**A RESOLUTION AUTHORIZING THE TOWNSHIP OF
HOPEWELL TO ENTER INTO A MUTUAL AGREEMENT
REGARDING THE UTILIZATION OF PUBLIC
ACCESS CHANNELS AND ASSETS**

BE IT RESOLVED on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Mayor and Clerk be and hereby are authorized to enter into a Mutual Agreement Regarding the Utilization of Public Access Channels and Assets by, between and among the Township of Hopewell, the Borough of Hopewell and the Borough of Pennington ("Municipal Parties") and The Hopewell Valley Regional School District ("School District") pursuant to an agreement, in a form similar to that which is attached hereto.

RESOLUTION #06-76. Read by title.
Motion by Iorio, seconded by Murphy to adopt Resolution #06-76.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N # 0 6 - 7 6

**A RESOLUTION AUTHORIZING THE
EXECUTION OF A SUBORDINATION
AGREEMENT FOR 27 TIMBERLANE DRIVE**

WHEREAS, the Township of Hopewell through its Affordable Housing Program has made available to the above-referenced property a rehabilitation loan in the amount of \$29,700.00; and

WHEREAS, said property owner is currently refinancing her mortgage and in order to do so has requested that the Township subordinate its mortgage for its rehabilitation loan; and

WHEREAS, the Township is satisfied that there is sufficient equity in said property to continue to secure the Township's rehabilitation loan following the subordination of same.

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of February 2006, by the Township Committee of the Township of Hopewell as follows:

1. The Mayor and Clerk of the Township of Hopewell are hereby authorized and directed to execute a Subordination Agreement for the Township's April 11, 2003 loan in the amount of \$29,700.00 concerning 27 Timberlane Drive. Said subordination shall be to refinance a loan on said property.
2. A certified copy of this Resolution shall be furnished upon its adoption to Kensington Abstract Company.

**PROPOSED RESOLUTION AFFIRMING SETTLEMENT OF HOPEWELL
TOWNSHIP DIRECTOR, DIVISION OF TAXATION**

The Committee determined to hold action on the proposed resolution to a future meeting.

RESOLUTION #06-77. Read into the record by Committee Member Iorio.
Motion by Niederer, seconded by Sandahl to adopt Resolution #06-77.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N # 0 6 - 7 7

**A RESOLUTION APPOINTING MEMBERS
TO THE YOUTH ADVISORY BOARD**

BE IT RESOLVED, on this 14th day of February 2006, by the Township Committee of the Township of Hopewell, County of Mercer, that the following are hereby appointed as members to the Youth Advisory Board, to fill all available openings for unexpired terms expiring June 30, 2006:

Sumra Ahmed
Desiree Grace

Rosie Rarich
Lauren Sheidler

Kaitlyn Gregory
Eileen Guo
Adelena Klett

Tom Korwin
Tom Petrino
Kevin Smith

RESOLUTION #06-78. Read by title.

ROLL CALL VOTE:

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

NOES: None

RESOLUTION #06-78

BILLS & CLAIMS

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment dated February 14, 2006, in the following amounts:

Bills and Claims	-	\$ 829,089.81
Payroll	-	\$ 579,560.50
Total Disbursements -		\$1,408,650.31

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

William Schoelwer questioned payment for delivery of salt under the interlocal agreement; the status of a study by a consultant as to the cost of police services; and the BMS Developer's Construction Agreement.

Anthony Arnone, a resident of Pennington-Titusville Road, questioned the possibility of a takeover of Timberlane Drive by the school district, and future access by residents of the area from Route 31.

EXECUTIVE SESSION RESOLUTION. Read into the record.

Motion by Iorio, seconded by Murphy to go to Executive Session to discuss personnel, contract negotiations and litigation. **MOTION UNANIMOUSLY CARRIED**

EXECUTIVE SESSION RESOLUTION

WHEREAS, it is necessary for the Township Committee to discuss personnel, contract negotiation and litigation matters; and

WHEREAS, N.J.S.A. 10:4-12 permits the Township Committee to conduct a meeting from which the public is excluded in order to discuss such matters; and

WHEREAS, the time when and circumstances under which discussion conducted in executive session may be disclosed to the public is when appropriate.

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of February 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 9:27 p.m the Executive Session was held.

At 10:00 p.m. Motion by Sandahl, seconded by Niederer to adjourn the meeting.

ANNETTE C. BIELAWSKI
MUNICIPAL CLERK