

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

Monday, January 10, 2005 - 7:14 p.m.

PROPER STATEMENT OF NOTICE - Mayor Kemp called the meeting to order stating that notice of the meeting had been posted on the municipal bulletin board and forwarded to the Hopewell Valley News and The Times (the official newspapers) on January 5, 2005 in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975.

ROLL CALL: Those answering the roll call of the Municipal Clerk:

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

ABSENT: None

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

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

At this time, Mayor Kemp asked for a moment of silence in recognition and sympathy for the victims and survivors of the tsunami disaster that occurred recently in southeast Asia.

Mayor Kemp noted the passing of Committee Member Niederer's father-in-law, Arthur Niederer, a long-time resident of Hopewell Township, and she expressed condolences to Committee Member Niederer and her family.

ADDITIONAL ITEMS FOR MEETING AGENDA

Committee Member Niederer requested the addition of a resolution authorizing a professional services agreement for architectural services for the development of historic preservation design guidelines, and she noted a deadline for the township's Historic Preservation Commission State grant.

MOTION was made by Niederer, seconded by Sandahl to add said resolution to the agenda.
MOTION UNANIMOUSLY CARRIED

Committee Member Sandahl requested Committee consideration for a resolution calling on the three Hopewell Valley municipalities to conduct a summit meeting on shared services.

MOTION was made by Sandahl, seconded by Niederer to add said resolution to the agenda.
MOTION UNANIMOUSLY CARRIED

COMMITTEE MEMBERS AND STAFF REPORTS

Committee Member Niederer reported on an inspection of the municipal detention facility; Public Works Department activities; a meeting of the Recreation Advisory Committee and a review of the Recreation Director job description.

Committee Member Iorio reported that the Finance Committee will be meeting with CFO Borges to review budget considerations for 2005.

Committee Member Sandom reported on the Board of Health reorganization meeting held prior to this meeting. She announced that March 3 is the Hopewell Valley's "Night Off" and that free hypertension screening for seniors is available three days of the month at various locations. She noted that as a mother of a Timberlane student she received correspondence from the Hopewell Valley Superintendent of Schools regarding several occurrences of whooping cough among students at the Timberlane School.

Committee Member Sandahl reported on the reorganization meeting of the township's Planning Board and a scheduled meeting on Thursday that will focus on 2005 priorities and a review of the Township Engineer's wastewater management recommendations.

Ms. Smeltzer reported that Charter Study Commission will appear at the next Township Committee meeting.

Mr. Goodell reported on the status of the release of bond monies for repairs to Cheyenne Drive residents.

Mr. Pogorzelski reported that work has begun on the porous paving parking lot at the municipal complex; completion of drainage work at Independence Park; and that NJDOT will work on the bridge located on Washington Crossing-Pennington Road near the intersection of Reed Road this summer.

Ms. Borges reported that the auditors will be working at the municipal building next week.

PUBLIC SECTION

William Schoelwer, a resident of Westcott Boulevard, suggested that the township develop guidelines for use of the municipal building by outside groups. He commented on the release of a surveillance tape as requested by a resident, and he raised a question as to precedent concerning future security.

James Johnson, a resident of Elm Ridge Road, voiced concerns over activities of the Center Heart School on Elm Ridge Road. He noted that he had appeared before the Committee last year to question the use of a residential property for such activities without an application for a zoning variance. Committee Member Sandom responded that she had investigated the matter and that the property owner has indicated that it is not the intent at this time to exceed zoning limitations at the site beyond the five students permitted by the zoning ordinances.

Roy Dollard, a resident of Elm Ridge Road, stated that his house is close to the Center Heart property, and he questioned developing activities at the site. Mayor Kemp advised a review of the new activities and asked that Counsel follow up as to the matter with the Zoning Officer.

Lawrence Mansier, a resident of Scotch Road, representing the Hopewell Valley Senior Center Planning Committee, stated that the Planning Committee requests that the Township Committee consider a Senior Services Coordinator rather than a Recreation Director. He added that approximately 13 individuals are available to volunteer and oversee recreation programs.

Bill Piper, a resident of Diverty Road, asked that the Township Committee sanction meetings of the southern tier neighborhood with a developer, Beazer Homes, at the municipal building to participate in the design of a proposed development in the area. He also requested that a Township Committee member attend such meetings as a township representative. Mr. Piper indicated that the next meeting is scheduled for January 13 at 7:00 p.m. Mr. Goodell commented as to the concept of such meetings and the land use process,

and he advised that a Township Committee member may attend the meetings but not as an agent or official representative of the township.

MOTION was made by Sandom, seconded by Sandahl to support the concept of the neighborhood meetings. **MOTION UNANIMOUSLY CARRIED**

Robert Kraeger, a resident of Honey Brook Drive, distributed a letter to the Committee concerning the Center Heart Church/School property located at 80 Elm Ridge Road, and material obtained from the Center Heart website. He requested intervention by township officials with respect to State and township codes for the use of the property.

Historic Preservation Commission members Pamela Crabtree and Richard Hunter appeared before the Committee. Mr. Hunter explained that the Historic Preservation Commission had received a matching grant from the State of New Jersey for the development of historic preservation design guidelines for properties listed on the local historic registry. In order to meet an August deadline, the Commission recommends that the township contract for the services of PDP Preservation Design Partnership.

RESOLUTION #05-12. Read by title.

Motion by Niederer, seconded by Sandahl to adopt Resolution #05-12.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-12

A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT (PDP PRESERVATION DESIGN PARTNERSHIP)

WHEREAS, there exists a need for certain professional architectural services for the development of historic preservation design guidelines; and

WHEREAS, the maximum amount of the contract is \$40,663.00 for such services and funds are available 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:

PDP Preservation Design Partnership, 2967 West School House Lane,
Cambridge C1102, Philadelphia, PA 19144 for architectural services for the
development of historic preservation design guidelines.

2. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law (N.J.S.A.40A:11-5 (1)(a) as a contract for services to be performed by persons authorized by law to practice recognized professions that are regulated by law and it is not possible to obtain competitive bids.

3. A notice of this action shall be published once in the official newspaper as required by law.

ORDINANCE - INTRODUCTION AND FIRST READING

Mayor Kemp read by title the ordinance for introduction:

CALENDAR YEAR 2005 ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

Ms. Borges explained that the proposed ordinance permits the Township of Hopewell to exceed the statutory increase of 2.5% in its 2005 Municipal Budget appropriations permitted by the Local Government CAP law to an increase of 3.5% over the previous year's final appropriations. She added that the ordinance permits any unappropriated excess to be retained for the next two budget years. Committee Member Iorio questioned the language of the proposed ordinance in that it may give the impression to residents that the township is soliciting additional CAP opportunity. Committee Member Sandom asked that the Township Auditor appear before the Committee at a budget meeting to discuss surplus. She also suggested that certain budget meetings be televised for the public.

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

ROLL CALL VOTE:

AYES: Niederer, Sandahl, Sandom, Mayor Kemp

NOES: Iorio

ORDINANCE INTRODUCED

Second reading, public hearing date January 24, 2005, at 7:00 p.m.

CONSENT AGENDA ITEMS

RESOLUTIONS #05-13 THROUGH #05-18 AND RAFFLES LICENSE APPLICATIONS RA:2-05, RA:3-05 AND RA:4-05. Read by title.

Motion by Sandom, seconded by Sandahl to adopt Resolutions #05-13 through #05-18 and to approve Raffles License Applications RA:2-05, RA:3-05 and RA:4-05.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-13

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 10th day of January 2005, 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:

Melita Johnson	1 Eglantine Avenue	Pennington, NJ 08534	\$200.00
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R E S O L U T I O N #05-14

A RESOLUTION APPOINTING DONALD RUBEL AS CERTIFIED SIGN LANGUAGE INTERPRETER IN THE MUNICIPAL COURT

BE IT RESOLVED on this 10th day of January 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That Donald Rubel be and is hereby appointed as Certified Sign Language Interpreter for the Municipal Court.
2. That Mr. Rubel 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 Mr. Rubel shall be paid as follows: \$75.00 per hour with a two-hour minimum. He does not charge travel and toll expenses.

R E S O L U T I O N #05-15

**A RESOLUTION AUTHORIZING
THE TAX COLLECTOR TO CANCEL
DELINQUENCIES & CREDITS
LESS THAN \$10.00**

WHEREAS, N.J.S.A. 40A:5-17.1 allows the governing body of a municipality to authorize a municipal employee to process the cancellation of any property delinquency or credit less than \$10.00 without further action of the governing body;

NOW, THEREFORE, BE IT RESOLVED, on this 10th day of January 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Township of Hopewell Tax Collector is hereby authorized to process said delinquencies and/or credits, as permitted by N.J.S.A. 40A:5-17.1.

R E S O L U T I O N #05-16

**A RESOLUTION AUTHORIZING THE SALE OF
PROPERTY FOR NONPAYMENT OF TAXES,
ASSESSMENTS, AND/OR OTHER MUNICIPAL LIENS**

WHEREAS, N.J.S.A. 54:5-1 et seq and P.L. 1997 Chapter 99 allows for the sale of property for nonpayment of taxes, assessments and/or other municipal liens; and

WHEREAS, several properties have delinquencies for calendar years prior to 2005;

NOW, THEREFORE, BE IT RESOLVED, on this 10th day of January 2005, by the Township Committee of the Township of Hopewell, County of Mercer and State of New Jersey that the Township Committee authorizes the Tax Collector to hold a tax sale for any accounts that remain in arrears for calendar year 2005 and any prior year.

R E S O L U T I O N #05-17

**A RESOLUTION APPROVING THE PAYMENT OF
UNUSED VACATION TIME TO MICHAEL HRITZ**

WHEREAS, Michael Hritz resigned December 31, 2004 after four years of employment with the Township of Hopewell as Recreation Director; and

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

NOW, THEREFORE, BE IT RESOLVED on this 10th day of January, 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the payout of accumulated vacation leave as calculated by the Chief Financial Officer in the amount of \$3,584.40 to Michael Hritz is hereby approved.

R E S O L U T I O N #05-18

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

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

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

NOW, THEREFORE, BE IT RESOLVED, on this 10th day of January 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That Engineering Bond money (\$23,782.65) and Health Bond money (\$1,000.00) for Block 20, Lot 13, posted 3/8/04 and 3/29/04 by Compton Lane Homes, LLC P.O. Box 163, Hopewell, NJ 08525 be and is hereby released.

RAFFLES LICENSE APPLICATIONS

1. Bear Tavern Parent Organization - (RA:2-05) on-premise raffles on March 19, 2005, 6:00 p.m. - 9:00 p.m. 1162 Bear Tavern Road, Titusville.
2. Bear Tavern Parent Organization - (RA:3-05) off-premise raffles on March 19, 2005, 6:00 p.m. - 9:00 p.m., 1162 Bear Tavern Road, Titusville.
3. Bulldog Booster Club - (RA:4-05) 50/50 on-premise raffles on 16 dates during January, February, March and April 2005, Hopewell Valley Central High School, 259 Pennington-Titusville Road, Pennington, NJ.

RESOLUTION #05-19. Read by title.

Motion by Sandahl, seconded by Sandom to adopt Resolution #05-19.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-19

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

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

WHEREAS, debt service payments will be due on February 15, 2005 on a NJ Economic Development Authority loan issued and outstanding;

NOW, THEREFORE, BE IT RESOLVED on this 10th day of January 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following appropriations be made to cover the payments due February 15, 2005.

DEBT SERVICE □ TOWNSHIP OF HOPEWELL NJ ECONOMIC DEVELOPMENT AUTHORITY

Interest

Current Fund	\$1,944.00
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RESOLUTION #05-20. Read by title.

Motion by Sandahl, seconded by Sandom to adopt Resolution #05-20.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-20

2005 DEBT SERVICE RESOLUTION

(MATURING ON MARCH 1, 2005)

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

WHEREAS, debt service payments will be due on March 1, 2005 on a NJ Economic Development Authority loan issued and outstanding;

NOW, THEREFORE, BE IT RESOLVED on this 10th day of January 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following appropriations be made to cover the payments due March 1, 2005.

DEBT SERVICE □ TOWNSHIP OF HOPEWELL 1998 BONDS**Interest**

Current Fund	\$72,136.25
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RESOLUTION #05-21. Read by title.

Motion by Sandom, seconded by Sandahl to adopt Resolution #05-21.

ROLL CALL VOTE:

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

NOES: None

RESOLUTION #05-21**A RESOLUTION FOR AN
EMERGENCY TEMPORARY APPROPRIATION**

WHEREAS, an emergent condition has arisen with respect to the Capital Improvement Account, and no adequate provision has been made in the 2005 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2005 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$50,000.00;

NOW, THEREFORE, BE IT RESOLVED, on this 10th day of January 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:
Capital Improvement Account \$ 50,000.00
2. That said emergency temporary appropriation has been provided for in the 2005 budget under the title of :
As listed in 1 above
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

RESOLUTION #05-22. Read by title.

Motion by Sandahl, seconded by Sandom to adopt Resolution #05-22.

ROLL CALL VOTE:

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

NOES: None

RESOLUTION #05-22**A RESOLUTION APPROPRIATING
CAPITAL IMPROVEMENT FUNDS FOR**

ENGINEERING FOR WASTEWATER MANAGEMENT

WHEREAS, the Hopewell Township Committee hereby acknowledges the requirement of preliminary costs to determine the scope and cost of a proposed undertaking. The purpose of these preliminary costs is for wastewater management; and

WHEREAS, this project would be a capital project for which bonds may be issued under Chapter 2 of Title 40A.

NOW, THEREFORE, BE IT RESOLVED, on this 10th day of January 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the amount appropriated for these preliminary costs shall not exceed \$50,000.00 and the Chief Financial Officer is authorized to set up an account within the Capital Improvement Fund of the Capital Fund entitled "Wastewater Management."

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the Chief Financial Officer of Hopewell Township.

RESOLUTION #05-23. Read by title.

Motion by Iorio, seconded by Sandom to adopt Resolution #05-23.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-23

**A RESOLUTION REAPPOINTING
AGRICULTURAL ADVISORY COMMITTEE MEMBER**

BE IT RESOLVED, that I, Arlene A. Kemp, Mayor of the Township of Hopewell, County of Mercer, on this 10th day of January 2005, do hereby reappoint Mary Jo Herbert as a regular member of the Agricultural Advisory Committee to a three-year term expiring 12/31/07.

**PROPOSED RESOLUTION/APPROVING THE PARKS AND RECREATION
DIRECTOR JOB DESCRIPTION**

The Committee held a brief discussion with respect to the job description for Recreation Director. A proposed Senior Services Coordinator job description submitted by Hopewell Valley Senior Center Planning Committee representative Larry Mansier was also discussed. It was suggested that the senior services job description be directed to the Hopewell Valley Recreation Advisory Committee (HVRAC) at its next meeting and that Committee Member Niederer coordinate the effort. Committee Member Niederer further explained the work of the Recreation Director with the HVRAC. The issue of proportionate contributions from the Boroughs of Hopewell and Pennington for Hopewell Valley recreation programs was briefly discussed. The Committee determined to hold the proposed resolution to the next Township Committee meeting.

RESOLUTION #05-24. Read into the record by CFO Borges.

Motion by Sandahl, seconded by Sandom to adopt Resolution #05-24.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-24

2004 BUDGET TRANSFER RESOLUTION #3

BE IT RESOLVED on this 10th day of January 2005, by the Township Committee of the Township of Hopewell, County of Mercer and State of New Jersey, that a transfer be made in the 2004 Budget appropriations as follows:

From:

Executive S/W		18,509.32
Clerk S/W		7,941.05
Finance S/W	8,974.19	
Tax S/W		5,140.56
Health S/W		1,234.42
Parks Maint S/W		720.19
	Total	\$42,519.73

To:

Telephone O/E		20,000.00
Motor Fuels O/E		10,519.73
Finance O/E		12,000.00
	Total	\$42,519.73

RESOLUTION #05-25. Read by title.

Motion by Sandom, seconded by Sandahl to adopt Resolution #05-25.

ROLL CALL VOTE:

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

NOES: None

RESOLUTION #05-25**BILLS & CLAIMS**

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment dated January 10, 2005, in the following amounts:

Bills and Claims	-	\$1,472,159.64
Payroll	-	\$ 747,037.03
Total Disbursements	-	\$2,219,196.67

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

RESOLUTION #05-26. Offered by Committee Member Sandahl.

Committee Member Sandahl discussed the current interlocal services agreements between the township and Hopewell and Pennington Boroughs, and the need for shared municipal services. Committee Member Sandahl explained that the resolution calls for the three Hopewell Valley mayors to participate in a summit meeting to consider relevant cost sharing services.

It was suggested that a specific date with regard to the summit meeting be inserted in the language of the resolution. The Committee determined to add ..." by February 10, 2005" to the seventh paragraph.

Motion by Sandahl, seconded by Sandom to adopt Resolution #05-26 as amended.

MOTION UNANIMOUSLY CARRIED

RESOLUTION #05-26

**A RESOLUTION CALLING ON THE MAYORS OF
HOPEWELL TOWNSHIP, PENNINGTON BOROUGH AND
HOPEWELL BOROUGH TO CONDUCT A SUMMIT
MEETING ON SHARED MUNICIPAL SERVICES**

WHEREAS, the State of New Jersey has more local governments per square mile than any other state; and

WHEREAS, municipal property taxes are increasing at an unacceptable rate; and

WHEREAS, citizens participation in a forum on shared services at The College of New Jersey put the highest priority on "achieving greater efficiency through shared services;" and

WHEREAS, existing interlocal services agreements should be updated to reflect current circumstances and realistic cost sharing; and

WHEREAS, significant opportunities may exist to provide the citizens of Hopewell Valley with equal or better services at reduced costs; and

WHEREAS, additional cooperation between Hopewell Borough, Pennington Borough and Hopewell Township will accelerate the development of new services and facilities for seniors and the development of the Hopewell Valley Community Center YMCA.

NOW, THEREFORE, BE IT RESOLVED that the Hopewell Township Committee calls on the Mayors of Hopewell Borough and Pennington Borough to participate in a summit meeting on shared municipal services by February 10, 2005; and

BE IT FURTHER RESOLVED, that all relevant services, including but not limited to police, public works, recreation, health and animal control, be considered by the summit meeting.

BE IT FURTHER RESOLVED that sufficient advance preparation be conducted so as to facilitate effective action by the three municipalities at the summit meeting.

PUBLIC SECTION

Len Ramist, a resident of Pennington Road, commented on the language of the resolution calling for a summit meeting.

EXECUTIVE SESSION RESOLUTION. Read into the record.

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

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

EXECUTIVE SESSION RESOLUTION

WHEREAS, it is necessary for the Township Committee to discuss legal and personnel matters; and

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

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

NOW, THEREFORE, BE IT RESOLVED, on this 10th day of January 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Township Committee shall forthwith conduct an executive session to discuss the above.

At 9:12 p.m. the Executive Session was held.

At 10:46 p.m., Motion by Sandahl, seconded by Iorio to adjourn the meeting.

MOTION UNANIMOUSLY CARRIED

ANNETTE C. BIELAWSKI
MUNICIPAL CLERK