

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

Monday, May 23, 2005 – 7:15 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 Hilling, Township Attorney Goodell, Municipal Clerk Bielawski, CFO Borges, Engineer Pogorzelski

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

APPROVAL OF MINUTES

Motion by Sandahl, seconded by Sandom to approve the following Minutes as submitted:

Reorganization Meeting of January 3, 2005
Regular and Executive Session Meetings of January 10, 2005
Regular and Executive Session Meetings of January 24, 2005
Special and Executive Session Meetings of January 27, 2005

MOTION UNANIMOUSLY CARRIED

PUBLIC SECTION

Julia Santos, a resident of 15 Cheyenne Drive, representing residents of Oak Ridge Park III, read into the record a letter she delivered to various municipal officials regarding negligence of outstanding site improvements at Oak Ridge Park III. Mr. Pogorzelski reviewed the certification of default with the developer and noted contact with the developer's bonding company. Mr. Goodell further reviewed the matter presented to the Township Committee last year regarding homeowners who were unable to obtain a final certificate of occupancy due to outstanding site improvements. He noted issues with the bond company over obligation to address the site improvements and that contact with the developer to pave the streets has not been successful. Mr. Pogorzelski explained the paving contract for streets that are adjoining Cheyenne Drive and the need for an amendment to the Capital Budget to pay for the paving of Cheyenne Drive. Potential legal options against the developer were further discussed.

Alina Jarjour, a resident of 12 Cheyenne Drive, stressed the importance that the Township collect a letter of credit from builders rather than an insurance bond in the future.

Ms. Santos expressed her opinion that it was unacceptable for the Township to delay corrective action in order to resolve the issues with the bonding company.

William Schoelwer, a resident of Westcott Boulevard, raised a question as to the costs to the Township in order to sue the bonding company. He also questioned the status of the Martin Tract. He also expressed support for a change in work hours for employees who work outdoors during the summer months.

2005 MUNICIPAL BUDGET PUBLIC HEARING AND ADOPTION

Ms. Borges gave a slide presentation as to the Township's "Budget History". She noted that the proposed budget calls for a five-cent increase in the municipal tax rate. The presentation included surplus and tax rate comparisons, debt history, budget revenues and appropriations and capital projects.

Mayor Kemp declared the public hearing open.

William Schoelwer, commented on the effect of police salaries on the tax rate next year. He also commented on developers' deficit in escrow accounts.

Motion by Sandahl, seconded by Iorio to close the public hearing on the budget.

Motion was made by Sandahl to adopt Budget Resolution #05-154. Seconded by Iorio

ROLL CALL VOTE:

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

NOES: None

(A COPY OF RESOLUTION #05-154, RESOLUTION TO ADOPT 2005 MUNICIPAL BUDGET, IS HEREBY ATTACHED AND MADE A PART OF THESE MINUTES)

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Kemp read by title and introduced ordinance:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,637,201 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,505,341 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mayor Kemp declared the Public Hearing open. No comments from the public.

Motion by Sandahl, seconded by Sandom to close the public hearing.

MOTION UNANIMOUSLY CARRIED

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom and Kemp

NOES: None

ORDINANCE ADOPTED

Ordinance advertised May 12, 2005 Hopewell Valley News. Posted municipal bulletin board as required by law.

ORDINANCE NO. 05-1334

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,637,201 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,505,341 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Hopewell, New Jersey as

general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,637,201, including the aggregate sum of \$131,860 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,505,341 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) <u>Roads:</u>			
Various road improvements, including the 2005 Road Overlay Program on various roads throughout the Township as set forth on a list on file in the office of the Township Clerk and improvements to Bull Run Road and distressed pavement, including all work and materials necessary therefor and incidental thereto.	\$1,554,654	\$1,476,921	10 years
Improvements to drainage at Birch Street and Skyview Drive and Birch Street culvert replacement, including all work and materials necessary therefor and incidental thereto.	<u>\$678,547</u>	\$644,620	40 years
TOTAL:	<u>\$2,233,201</u>	<u>\$2,121,541</u>	
b) <u>Buildings and Grounds</u>			
Various improvements, including roof repair to the mechanic's bay, splice box in the septic system at the Administration Building, electric outlets for the Public Works Building, heat pumps, 1/2 horse power mueller pumps, MAC site septic system and lighting and condenser pipes, including all related costs and expenditures incidental thereto, and further including all work and materials necessary therefor and incidental thereto.	<u>\$404,000</u>	<u>\$383,800</u>	15 years
GRAND TOTAL:	<u>\$2,637,201</u>	<u>\$2,505,341</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year

from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Township of Hopewell is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The Resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 18.48 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,505,341, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$328,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Kemp read by title and introduced ordinance:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT FOR THE SEWER UTILITY IN AND BY THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$295,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$295,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF

Mayor Kemp declared the Public Hearing open. No comments from the public.
Motion by Sandahl, seconded by Niederer to close the public hearing.

MOTION UNANIMOUSLY CARRIED

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom and Kemp

NOES: None

ORDINANCE ADOPTED

Ordinance advertised May 12, 2005 Hopewell Valley News. Posted municipal bulletin board as required by law.

ORDINANCE NO. 05-1335

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT FOR THE SEWER UTILITY IN AND BY THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$295,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$295,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Hopewell, New Jersey. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$295,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$295,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of various equipment for the sewer utility, including a mixer, a grinder for Brandon Farms hoist, a portable solids pump and PF infiltration, including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officers signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public

or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Township of Hopewell is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The Resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$295,000, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$30,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Kemp read by title and introduced ordinance:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT FOR THE WATER UTILITY IN AND BY THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$11,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$11,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF

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

MOTION UNANIMOUSLY CARRIED

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom and Kemp

NOES: None

ORDINANCE ADOPTED

Ordinance advertised May 12, 2005 Hopewell Valley News. Posted municipal bulletin board as required by law.

ORDINANCE NO. 05-1336

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT FOR THE WATER UTILITY IN AND BY THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$11,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$11,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Hopewell, New Jersey. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$11,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$11,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of various equipment for the water utility, including a pipe and cable locator, an omni marker and a 48 inch walk behind mower, including all related costs and expenditures incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The

chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Township of Hopewell is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The Resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$11,000, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 9. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Kemp read by title the introduced ordinance:

AN ORDINANCE PURSUANT TO N.J.S.A. 40:67-19 PERMITTING A MUNICIPALITY TO VACATE A PORTION OF A STREET PUBLIC RIGHT OF WAY IF SAID AREA IS NO LONGER NEEDED FOR PUBLIC RIGHT OF WAY PURPOSES AND FURTHER AUTHORIZING PURSUANT TO N.J.S.A. 40:12-3 ET SEQ., THE NEW JERSEY LOCAL LAND AND BUILDINGS LAW, THE CONVEYANCE OF SAID RIGHT OF WAY WHICH WAS A PART OF THE FORMER ALIGNMENT OF THE HOPEWELL-PENNINGTON ROAD (MERCER COUNTY ROUTE 654) AND FURTHER AUTHORIZING THE EXECUTION OF QUIT CLAIM DEED(S) TO THE ADJOINING PROPERTY OWNER(S)

Mayor Kemp declared the Public Hearing open.

Bruce Meier, owner of property at the intersection of Hopewell Pennington Road and Crusher Road, adjoining Block 20, Lot 2 to the north, asked if his property would benefit from the proposed vacation. He also requested that the language of the ordinance be amended to include specific language as to the right of way vacation. Mr. Goodell displayed a map and pointed out the portion of the right-of-way proposed to be vacated by the Township to the adjoining property owners. Council advised that the ordinance be adopted as introduced at this time and that an amendment to the language be considered at a future date.

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

MOTION UNANIMOUSLY CARRIED

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

ROLL CALL VOTE

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

NOES: None

ORDINANCE ADOPTED

Ordinance advertised May 12, 2005 Hopewell Valley News. Posted municipal bulletin board as required by law.

ORDINANCE NO. 05-1337

AN ORDINANCE PURSUANT TO N.J.S.A. 40:67-19 PERMITTING A MUNICIPALITY TO VACATE A PORTION OF A STREET PUBLIC RIGHT OF WAY IF SAID AREA IS NO LONGER NEEDED FOR PUBLIC RIGHT OF WAY PURPOSES AND FURTHER AUTHORIZING PURSUANT TO N.J.S.A. 40:12-3 ET SEQ., THE NEW JERSEY LOCAL LAND AND BUILDINGS LAW, THE CONVEYANCE OF SAID RIGHT OF WAY WHICH WAS A PART OF THE FORMER ALIGNMENT OF THE HOPEWELL-PENNINGTON ROAD (MERCER COUNTY ROUTE 654) AND FURTHER AUTHORIZING THE EXECUTION OF QUIT CLAIM DEED(S) TO THE ADJOINING PROPERTY OWNER(S)

WHEREAS, the Hopewell-Pennington Road (Mercer County Route 654) is a Mercer County road located within the Township of Hopewell; and

WHEREAS, the Mercer County Board of Chosen Freeholders, by Resolution dated June 22, 1928 authorized the realignment of said county roadway; and

WHEREAS, said Mercer County roadway has been realigned and a certain plan entitled, A Plan Showing Property to be Acquired of Wandell D. Secor for the Proposed Widening and Realignment of Marshall's Corner-Hopewell Road between Marshall's Corner and Westerly Borough Line of Hopewell prepared by the Mercer County Engineer, Harry F. Morris dated April 15, 1928 indicates that the portion of the former alignment of said roadway was vacated to the benefit of the Township of Hopewell; and

WHEREAS, a Quiet Title action has been filed concerning this former right-of-way in the Superior Court of New Jersey, County of Mercer, Chancery Division in the matter known as Lee Bucher, et al. v. GM-Ewing Holding Co., Inc., et al. Docket No.; MER-L-2258-03 wherein the Township of Hopewell is named as a party defendant in order to Quiet Title to the disputed lands within the former public right-of-way; and

WHEREAS, the County of Mercer has reaffirmed by Resolution No. 2005-44 as adopted January 13, 2005 its consent and concurrence that the right of way shown in the former alignment of Mercer County Route 654 is no longer needed for public purposes and further reaffirming the vacation of any right, title or interest in that former right of way for the benefit of the Township of Hopewell; and

WHEREAS, N.J.S.A.40:67-19 permits the Township of Hopewell by ordinance to vacate the aforementioned public right of way since said right of way is no longer needed and releasing and extinguishing the public rights arising from dedication will be better served by releasing those lands or parts of land to the adjacent property owners in order to quiet their titles; and

WHEREAS, the Township of Hopewell wishes to vacate any interest it may have in the aforementioned lands vacated by the County of Mercer in 1932 and 2005; and

WHEREAS, the Township of Hopewell has agreed to sign a Quit Claim Deed(s) so that the said former right-of-way once vacated will revert to the adjacent property owner(s); and

WHEREAS, the provisions of the New Jersey Local Land and Buildings Law, N.J.S.A. 40A:12-13(b)(5) to the owner of real property contiguous to the real property being vacated provided said property is less than the minimum size required for development under the current Township Zoning Ordinance; and

WHEREAS, the lands to be vacated are less than the minimum size required for development under the current Township Zoning Ordinance.

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

Section 1. The Township of Hopewell hereby vacates any right, title or interest in that portion of the Hopewell-Pennington Road (Mercer County Route 654) which was previously used as a portion of the right-of-way for said county road prior to the realignment of said road between 1928 and 1930 and being further described as follows:

- A. Said lands being shown on a plan entitled, A Plan Showing Property to be Acquired of Wandell D. Secor for the Proposed Widening and Realignment of Marshall's Corner-Hopewell Road Between Marshall's Corner and Westerly Borough Line of Hopewell prepared by the Mercer County Engineer, Harry F. Morris dated April 15, 1928. Said lands are further described to consist of the width of the right-of-way adjacent to Block 20, Lot 2 Hopewell Township Tax Map that existed in 1928, said lands being a landlocked area founded between the new southerly right-of-way line of Mercer County Route 654 as proposed on the aforementioned plan and the existing northerly right-of-way line of the roadway as it existed in 1928.

Section 2. The Mayor and Clerk of the Township of Hopewell are hereby authorized and directed to execute Quit Claim Deed(s) to the adjacent property owners of this former and aforementioned right-of-way as determined in the context of the above-referenced litigation and as recommended by the Hopewell Township attorney.

Section 3. A certified true copy of this Ordinance shall be recorded in the office of the Mercer County Clerk to evidence the vacation of the above-referenced former right-of-way upon adoption of this Ordinance.

Section 4. The Municipal Clerk shall serve notice of the introduction of the ordinance on first reading to all owners of real property adjacent to the right of way proposed for vacation pursuant to N.J.S.A. 40:67-19 and N.J.S.A. 40:49-6.

Section 5. In the event that any section of this Ordinance is found to be invalid, such finding shall be limited only to the portion of the Ordinance actually determined to be invalid and shall not affect any other section of the Ordinance.

Section 6. This Ordinance shall take effect upon its passage and publication as provided for by law.

ADDITIONAL ITEMS FOR AGENDA

Committee Member Sandom asked that the proposed Resolution approving Performance Guarantee reduction for Hopewell Crossing Shopping Center site improvements be held at this time in order to determine monies with respect to the sewer lines.

Ms. Borges, asked that a Resolution be added to the agenda providing for the insertion of a special item of revenue for a Comcast Technology grant.

Motion was made by Iorio, seconded by Sandahl to add the aforementioned item to the agenda.

MOTION UNANIMOUSLY CARRIED

COMMITTEE MEMBER AND STAFF REPORTS

Committee Member Niederer reported on a meeting of the Historic Preservation Commission and that the design guideline project is moving forward. She also reported that Mercer County has submitted the first alternative to the State for approval with regard to the Jacob's Creek Bridge. Committee Member Niederer announced that the Police Department's D.A.R.E. picnic would be held on June 8th. She reported receipt of a grant from the Office of Homeland Security for mobile radios for police, fire and E.M.S., and a Federal grant for the enforcement of the seatbelt program.

Committee Member Sandom reported on a meeting of the Open Space Committee and discussion as to the Township's contribution to open space acquisition. She also reported on a meeting of the Environmental Commission and a request to apply for a (DEP) grant to protect certain stream corridors.

Committee Member Sandahl announced that the Planning Board meeting scheduled for tomorrow has been cancelled. He also reported on the status of the Lawrence-Hopewell Trail and that the ribbon cutting ceremony has been scheduled for June 11th.

Mr. Hilling announced that on Wednesday, May 25 at 11:00 a.m., a meeting has been scheduled with Comcast regarding Channel 95 operations. He reported on a meeting with the County Executive and Engineer concerning the Jacob's Creek Bridge.

The Municipal Clerk reminded everyone that Primary Election Day is June 7th and the deadline to apply for absentee ballots by mail is May 31st.

Mayor Kemp announced that there would be an Affordable Housing meeting at 7:00 p.m. on Thursday, May 26, and urged all interested parties to attend

CONSENT AGENDA ITEMS

RESOLUTIONS #05-155 THROUGH #05-162. Read by title.

Motion by Sandahl, seconded by Iorio to adopt Resolutions #05-155 through #05-162.

MOTION UNANIMOUSLY CARRIED

RESOLUTION #05-155

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 23rd day of May 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:

Wayne Swango	12 Crestview Drive	Hopewell, NJ 08525	\$100.00
Pearl Szilagyi	54 Marshalls Cnr. Woodsvl. Rd.	Hopewell, NJ 08525	\$75.00

RESOLUTION #05-156

**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 23rd day of May 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That Partial Engineering Bond money (\$1,000.00) for Block 72, Lot 1.14, posted on 6/21/02 by Theodore Shatynski, 2 Roosevelt Ave., Pennington, NJ 08534 be and is hereby released.
2. That Final Engineering Bond money (\$6,617.50) for Block 72, Lot 1.14, posted on 6/21/02 by Pennington Hills, L.L.C., 2 Madison Ave., Pennington, NJ 08534 be and is hereby released.
3. That Temporary CO Bond money (\$500.00) for Engineering, (\$1,000.00) for Driveway, and (\$500.00) for Health, for Block 43.26, Lot 2, posted on 7/8/04 by MDL Development Inc., Suite 1511-2, 1920 Frontage Road, Cherry Hill, NJ 08034 be and is hereby released.
4. That Temporary CO Bond money (\$10,576.00) for Engineering, (\$1,000.00) for Driveway, and (\$1,000.00) for Health, for Block 62, Lot 12.20, posted on 2/5/03 by Toll Bros., Inc., 250 Gibraltar Road, Horsham, PA 19044 be and is hereby released.
5. That Driveway Bond money (\$1,000.00) for Block 46, Lot 15.09, posted on 11/8/02 by Bradley & Jill Murray, 6 Silo Rd., Pennington, NJ 08534 be and is hereby released.

RESOLUTION #05-157

**A RESOLUTION AMENDING RESOLUTION #05-142,
"A RESOLUTION AUTHORIZING REFUNDS FROM
HOPEWELL TOWNSHIP FOR 2005 TAXES PAID IN ERROR"**

WHEREAS, the Tax Collector has determined that an erroneous refund of 2005 taxes has been made; and

WHEREAS, the Tax Collector has retrieved said erroneous refund check # 30669;

NOW THEREFORE, BE IT RESOLVED, on this 23rd day of May 2005, by the Township Committee of the Township of Hopewell, County of Mercer, and State of New Jersey, to amend Resolution #05-142 to delete the refund for Block 78.12, Block15 check #30669 in the amount of \$1840.13.

RESOLUTION #05-158

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

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

NOW, THEREFORE, BE IT RESOLVED, on this 23rd day of May 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the individuals and/or corporations so specified below be shown as refunds of 2005 taxes paid in error.

BLOCK	LOT	REFUND TO	AMOUNT
78.12	15	Defeo Richard 222 Amberfield Dr Mt. Laurel, NJ 08054	\$1840.13
Duplicate 2 nd qtr pmt			

RESOLUTION #05-159

A RESOLUTION AUTHORIZING REFUND OF PARTIAL PERMIT FEES

WHEREAS, a duplicate payment of permit fees was collected in error; and
WHEREAS, due to the duplicate payment a refund of the permit fees is required.

NOW, THEREFORE, BE IT RESOLVED, on this 23rd day of May 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That refund of the permit fees (\$3,500.00) for Electrical Fee and (\$350.00) for C.O. Fee for Block 48.02, Lot 1 (C001) posted by Edward Bucci Builders, Inc., 812 State Road, Suite 216, Princeton, NJ 08540 be and is hereby released.

RESOLUTION #05-160

A RESOLUTION AUTHORIZING A REFUND FOR FOOD HANDLERS LICENSE 2005-2006

WHEREAS, fees were paid for retail food handlers license for 2005-2006; and
WHEREAS, a retail food handlers license was withdrawn.

NOW, THEREFORE, BE IT RESOLVED on this 23rd day of May 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the following refund be and is hereby authorized:

1. Paul Petrella, Jr.
27 Thurston Avenue
Ewing, NJ 08618

Paid for on April 13, 2005, retail food handlers license 2005-2006, amount of \$100.00.

RESOLUTION #05-161

RESOLUTION APPROVING THE APPLICATION OF THE HOPEWELL VALLEY SOCCER CLUB TO CONDUCT A SOCCER TOURNAMENT

WHEREAS, application has been made by the Hopewell Valley Soccer Club to conduct a soccer tournament in the Township of Hopewell at Timberlane Middle School/High School Complex, Bear Tavern School, Washington Crossing State Park, and Independence Park on May 28, 29, and 30, 2005, between the hours of 8:00 a.m. and 5:30 p.m.; and

WHEREAS, the Hopewell Township Health Officer and the Hopewell Township Police Department have reviewed the application and granted their approval to conduct the tournament and recommend the granting of a permit pursuant to the Revised General Ordinances of the Township of Hopewell, Chapter IV, Section 4-3 Festivals and Large Assemblies;

NOW, THEREFORE, BE IT RESOLVED, that:

1. This Resolution shall constitute a permit to conduct a soccer tournament in accordance with the application submitted by the Hopewell Valley Soccer Club, which public exhibitions are to be held May 28, 29, and 30, 2005, at Timberlane Middle School/High School Complex, Bear Tavern School, Washington Crossing State Park, and Independence Park in Hopewell Township.
2. Hopewell Valley Soccer Club shall be exempted from the several provisions of 4-3, et seq. (4-3.8 Exemptions. a. Charitable or non-profit organizations) except those provided by 4-3.4, Insurance Requirement.
3. The Municipal Clerk is directed to forward a certified copy of this Resolution to the Hopewell Valley Soccer Club, P.O. Box 185, Pennington, NJ 08534.

R E S O L U T I O N #05-162

**RESOLUTION APPROVING THE APPLICATION OF
BRISTOL-MYERS SQUIBB COMPANY TO CONDUCT
A "BIKE PATH RIBBON-CUTTING CEREMONY"**

WHEREAS, application has been made by Bristol-Myers Squibb Company to conduct a "Bike Path Ribbon-Cutting Ceremony" in the Township of Hopewell at 311 Pennington-Rocky Hill Road on June 11, 2005, between the hours of 9:00 a.m. and 12:00 noon; and

WHEREAS, the Hopewell Township Health Officer and the Hopewell Township Police Department have reviewed the application and granted their approval to conduct the ribbon-cutting ceremony and recommend the granting of a permit pursuant to the Revised General Ordinances of the Township of Hopewell, Chapter IV, Section 4-3 Festivals and Large Assemblies;

NOW, THEREFORE, BE IT RESOLVED, that:

1. This Resolution shall constitute a permit to conduct a "Bike Path Ribbon-Cutting Ceremony" in accordance with the application submitted by Bristol-Myers Squibb which is to be held at 311 Pennington-Rocky Hill Road on June 11, 2005.
2. The Municipal Clerk is directed to forward a certified copy of this Resolution to Attn: Jill Lettier, Bristol-Myers Squibb Company, Route 206 and Provinceline Road, Princeton, NJ 08540.

RESOLUTION #05-163. Read by title.

Motion by Sandom, seconded by Sandahl to adopt Resolution #05-163.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-163

**A RESOLUTION REAPPOINTING
ROBERT H. YOSTEMBSKI
AS MUNICIPAL PROSECUTOR**

BE IT RESOLVED, on this 23rd day of May 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that Robert H. Yostembski be and is hereby reappointed Municipal Prosecutor in the Municipal Court of the Township of Hopewell, County of Mercer, effective April 17, 2005.

BE IT FURTHER RESOLVED, that Robert H. Yostembski be compensated at an annual salary of \$28,000.

BE IT FURTHER RESOLVED, that this appointment shall be for a one (1) year term, expiring April 16, 2006.

RESOLUTION #05-164. Read by title.
Motion by Iorio, seconded by Niederer to adopt Resolution #05-164.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-164

**A RESOLUTION AUTHORIZING
THE TEMPORARY CLOSING
OF A PORTION OF DENOW ROAD**

WHEREAS, Denow Road between Larchmont Court and Van Brunt Road is scheduled to have Traffic Calming Measures installed; and

WHEREAS, this portion of the road may be temporarily closed to through traffic for 35 working days; and

WHEREAS, The New Jersey Department of Transportation requires the closing of this portion of the road for the project with a Resolution; and

WHEREAS, a detour plan has been prepared and submitted by the Township Engineer.

NOW, THEREFORE, BE IT RESOLVED on this 23rd day of May 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that Denow Road between Larchmont Court (south) and Van Brunt Road be temporarily closed for a period of up to 35 working days commencing on a date as determined by the Township Engineer.

RESOLUTION #05-165. Read by title.
Motion by Sandahl, seconded by Iorio to adopt Resolution #05-165.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-165

**A RESOLUTION ACCEPTING THE
OCCUPANT PROTECTION PROJECT
HIGHWAY SAFETY GRANT**

WHEREAS, the Township of Hopewell Police Department has applied for the Occupant Protection Project Highway Grant from the New Jersey Division of Highway Traffic Safety; and

WHEREAS, the grant is in the amount of \$4,000.00; and

WHEREAS, the grant will pay for Police Officers to work overtime to enforce laws effecting the safety and welfare of the streets of Hopewell Township and Hopewell Borough and to educate and encourage the public on the benefits of safety belt and child passenger safety seat restraint use.

NOW, THEREFORE, BE IT RESOLVED on this 23rd day of May 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, to accept the Grant from the State of New Jersey and authorize the Mayor and Treasurer to sign the Grant Acceptance Conditions.

RESOLUTION #05-166. Read by title.
Motion by Sandom, seconded by Iorio to adopt Resolution #05-166.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-166

**A RESOLUTION PROVIDING FOR THE INSERTION OF
ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF
ANY COUNTY OR MUNICIPALITY PURSUANT TO
N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1985)
(COMCAST TECHNOLOGY GRANT)**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount; and

WHEREAS, the Township of Hopewell has received a grant in the amount of \$60,000.00 from Comcast and wishes to amend its 2005 Budget by \$60,000.00 to include the amount received as revenue.

NOW, THEREFORE, BE IT RESOLVED on this 23rd day of May 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Township of Hopewell hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2005 in the sum of \$60,000.00, which item is now available as a revenue from:

Comcast Technology Grant	\$60,000.00
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BE IT FURTHER RESOLVED that a like sum of \$60,000.00 be and the same is hereby appropriated as follows:

Comcast Technology Grant	\$60,000.00
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RESOLUTION #05-167. Read by title.

Motion by Sandom, seconded by Iorio to adopt Resolution #05-167.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-167

BILLS & CLAIMS

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment dated May 23, 2005, in the following amounts:

Bills and Claims	\$3,820,007.15
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Total Disbursements -	\$3,820,007.15
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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

Sheila Beyer, a resident of Route 31, commented on traffic concerns over motorists who are making left hand turns to the Hopewell Shopping Center rather than using the jug handle.

William Schoelwer, a resident of Westcott Boulevard, commented on poor cable television reception on Channel 95.

EXECUTIVE SESSION RESOLUTION. Read into the record.

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

Motion by Sandahl, seconded by Iorio to go to Executive Session to discuss personnel and litigation.

MOTION UNANIMOUSLY CARRIED

EXECUTIVE SESSION RESOLUTION

WHEREAS, it is necessary for the Township Committee to discuss litigation, personnel and contract negotiation 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 23rd day of May 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 9:40 p.m. the Executive Session was held.

At 11:25 p.m., motion by Sandahl, seconded by Iorio to adjourn the meeting.
MOTION UNANIMOUSLY CARRIED

ANNETTE C. BIELAWSKI
MUNICIPAL CLERK