

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

Monday, August 8, 2005 - 7:06 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, Sandahl, Sandom, 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 Iorio to approve the Minutes of the Regular and Executive Session Meetings (1) of March 14, 2005 as submitted.

MOTION UNANIMOUSLY CARRIED

Motion by Sandom, seconded by Niederer to approve the Minutes of the Regular and Executive Session Meetings (2) of March 28, 2005 as submitted.

MOTION UNANIMOUSLY CARRIED

PRESENTATION - CHARTER STUDY COMMISSION

James McGuire, Chairman of the Charter Study Commission, appeared before the Committee and introduced the following elected Commission members: Patricia Tieman, Vice Chairman, Janet Crum, Jon Edwards, and William Cane. Mr. McGuire presented a statement as to the work of the Commission since the November 2004 General Election that included weekly meetings, interviews with officials and professionals from various forms of government and consultation with experts in municipal government. On July 11, 2005, the Commission recommended unanimously that Hopewell Township's current Township Committee form of government be changed to the Mayor-Council-Administrator form. Mr. McGuire indicated that the Commissioners heard members of the public express a strong desire to directly elect their Mayor and voice concerns over continuity in leadership. He noted that the Commissioners submitted their report to the Municipal Clerk on August 1, 2005, and that the question of whether Hopewell Township should change its form of government will be placed on the ballot for the November 8, 2005 General Election. Mr. McGuire detailed the Charter Study Commission's work that was divided into the following three phases:

- Phase I - A study of the present Township Committee form of government; Interviews of staff members, past and present elected officials and volunteer officials.

- Phase II - A study of alternative forms of government; Interview officials from other municipalities; Public Hearings.
- Phase III - Deliberation, vote and decision. Public forum to announce findings and recommendation.

Mr. McGuire publicly acknowledged Dr. Ernest Reock, Professor Emeritus of Rutgers University, who attended four meetings and provided the Commission with advice, information and reference materials at no cost. He further addressed certain issues that the Commissioners considered during the study process that included direct election of Mayor by voters, continuity of leadership, separation of executive and legislative powers and cost. Mr. McGuire estimated there would be a one-time cost of \$5,000 to \$10,000 to draft a new Administrative Code and an increased cost for Mayor and one additional Committee Member of approximately \$4,000 each. The Commissioners were unanimous that all Council members be elected at-large and that elections should be partisan rather than nonpartisan. Mr. McGuire indicated that the Study Commission believes that other forms of government examined were not the right fit for Hopewell Township. The voters of Hopewell Township will have the opportunity to vote for the Mayor-Council-Administrator form of government at the November 8, 2005 General Election. If adopted, candidates for Mayor and Council would be selected in the 2006 Primary Election and thereafter stand for election in the November 2006 General Election. The elected officials would take office on January 1, 2007.

Mr. McGuire reported that the Charter Study Commission also unanimously agreed on the following three advisory recommendations:

- 1) The Mayor should be compensated on a part-time basis at a similar rate of compensation as Council and should remain at the current level of \$4,000.
- 2) The Mayor should continue the tradition of seeking advice and consent from Council for all appointments.
- 3) Each of the six Council Members should serve as liaison to one of each of the six departments of municipal government. He added that the Commission recommended consolidating the current 14 departments to six so as to reduce operational costs.

Township Committee members thanked the Charter Study Commission members for their work and raised the following questions: legal costs involved in the transition of the form of government and actual costs for changing the administrative code of the township; determination as to whether the Mayor would be a part-time or full-time position and the salary; options as to the number of six members of Council; the number of New Jersey municipalities that have adopted the proposed form of government; restrictions as to communication between the Council and Department heads; appointment of Department heads by the Mayor without the consent of the Council; and strong powers of the Mayor.

Mayor Kemp opened discussion to the public.

William Schoelwer, a resident of Westcott Boulevard, raised concerns over the possibility of higher costs for the new form of government, loss of productivity due to department

head changes and a reduction to the number of available candidates for Mayor due to the four-year commitment.

Sophia Pedersen, a resident of Pennington-Rocky Hill Road, expressed her opinion that there was no advantage to changing the current form of government because of the possibility of an increase in expenses and payroll.

Severino DiCocco, a resident of Poor Farm Road, expressed support for the proposed

recommendation in order to elect the Mayor and questioned the potential for cost savings by reducing the number of departments.

Len Ramist, a resident of Pennington Road, asked who would appoint the engineer; interaction by the Council with various municipal officials; and the continuity and power of a four-year Mayor including appointments to the Planning and Zoning Board.

Barbara Wahlers, a resident of Marshall's Corner-Woodsville Road, expressed opposition to the Commission's recommendation and questioned the salary of a full-time Mayor; additional costs of health benefits; choice of candidates; the potential for the abuse of power; and accountability of the Mayor.

Cheryl Stone, Chairperson of the Municipal Alliance, commented on the importance of continuity for municipal officials.

At 9:46 p.m., Mayor Kemp called for a recess.
The meeting reconvened at 10:04 p.m.

Mr. McGuire presented the Township Committee the Charter Study Commission Final Report dated August 1, 2005, and a facsimile of the Royal Charter from King George II, received by Hopewell Township on March 1, 1755. The Mayor thanked the Commission members on behalf of the township.

ADDITIONAL ITEMS FOR AGENDA

Mr. Hilling asked that a Resolution be added to the agenda awarding a contract to Traffic Lines, Inc., for 2005 for roadway striping.

COMMITTEE MEMBER AND STAFF REPORTS

Committee Member Iorio noted that the township has scheduled a Royal Charter 250th Celebration at Washington Crossing State Park on October 22, 2005.

PUBLIC SECTION

Richard Lafferty, a resident of Harbourton-Woodsville Road, noted that his property adjoins property designated as open space, and that he has received a letter requesting that he restrict lawn cutting on such property. Counsel advised that he contact Dr. Ted Stiles of the Friends of Hopewell Valley Open Space or attend the scheduled September Open Space Advisory Committee meeting.

Robert Kimmel, a resident of Lake Baldwin Drive, raised concerns over an unidentified municipal or revaluation inspector on his property. The Administrator indicated he would investigate this matter.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL
DESIGNATING THE "BROWN FARMSTEAD" AS AN HISTORIC
LANDMARK WITHIN THE TOWNSHIP OF HOPEWELL AND

AMENDING AND SUPPLEMENTING THE OFFICIAL ZONING MAP
AND ORDINANCES OF THE TOWNSHIP OF HOPEWELL

Pamela Crabtree, Chair of the Historic Preservation Commission, appeared before the Committee and explained the historic significance of the designated landmarks within Hopewell Township. She noted that the Commission recommends six properties be designated historic landmarks and all are enthusiastically supported by the owners.

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date September 12, 2005, at 7:00 p.m.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL DESIGNATING
THE "LANNING/HUNT FARMSTEAD" AS A HISTORIC LANDMARK
WITHIN THE TOWNSHIP OF HOPEWELL AND AMENDING AND
SUPPLEMENTING THE OFFICIAL ZONING MAP AND ORDINANCES
OF THE TOWNSHIP OF HOPEWELL

Motion by Niederer, seconded by Iorio to introduce the Ordinance on first reading.

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date September 12, 2005, at 7:00 p.m.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL DESIGNATING
THE "LOTT'S MILLS" AS A HISTORIC LANDMARK WITHIN THE
TOWNSHIP OF HOPEWELL AND AMENDING AND
SUPPLEMENTING THE OFFICIAL ZONING MAP AND ORDINANCES
OF THE TOWNSHIP OF HOPEWELL

Motion by Niederer, seconded by Iorio to introduce the Ordinance on first reading.

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date September 12, 2005, at 7:00 p.m.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

AN ORDINANCE OF THE TOWNSHIP OF HOPEWELL DESIGNATING THE "NOAH HUNT FARMSTEAD" AS A HISTORIC LANDMARK WITHIN THE TOWNSHIP OF HOPEWELL AND AMENDING AND SUPPLEMENTING THE OFFICIAL ZONING MAP AND ORDINANCES OF THE TOWNSHIP OF HOPEWELL

Motion by Niederer, seconded by Iorio to introduce the Ordinance on first reading.

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date September 12, 2005, at 7:00 p.m.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

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

Motion by Niederer, seconded by Iorio to introduce the Ordinance on first reading.

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date September 12, 2005, at 7:00 p.m.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

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

Motion by Niederer, seconded by Iorio to introduce the Ordinance on first reading.

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

ORDINANCE ESTABLISHING A MUTUAL AID AGREEMENT FOR
EMERGENCY POLICE SERVICES AMONG AND BETWEEN THE
MUNICIPALITIES OF MERCER COUNTY

Motion by Niederer, seconded by Iorio to introduce the Ordinance on first reading.

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date August 22, 2005, at 7:00 p.m.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER X,
"FEES AND PERMITS", OF THE "REVISED GENERAL ORDINANCES
OF THE TOWNSHIP OF HOPEWELL, NEW JERSEY (1978)"

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date August 22, 2005, at 7:00 p.m.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

AN ORDINANCE AUTHORIZING THE SALE OF BLOCK 61, LOT 6.01
TO THE STATE OF NEW JERSEY, DEPARTMENT OF
ENVIRONMENTAL PROTECTION

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date August 22, 2005, at 7:00 p.m.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

AN ORDINANCE AUTHORIZING THE SALE OF A DEVELOPMENT EASEMENT FOR PROPERTY LOCATED AT BLOCK 39, LOTS 16.01, 17 AND 30 AND BLOCK 43, LOT 5 TO THE STATE AGRICULTURE DEVELOPMENT COMMITTEE (MARTIN TRACT)

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date August 22, 2005, at 7:00 p.m.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 18, "BRUSH AND LANDSCAPE DEBRIS," OF CHAPTER III, "LAW ENFORCEMENT REGULATIONS", OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL

Mr. Goodell explained the penalty provisions for the following four proposed ordinances.

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date September 12, 2005, at 7:00 p.m.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER III, "LAW ENFORCEMENT REGULATIONS", OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL TO ESTABLISH REQUIREMENTS FOR THE PROPER HANDLING OF YARD WASTE

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date September 12, 2005, at 7:00 p.m.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER III, "LAW ENFORCEMENT REGULATIONS", OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL TO ESTABLISH REGULATIONS CONCERNING ILLICIT CONNECTIONS TO MUNICIPAL STORMWATER SYSTEMS

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date September 12, 2005, at 7:00 p.m.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER III, "LAW ENFORCEMENT REGULATIONS", OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL TO ESTABLISH REGULATIONS CONCERNING WILDLIFE FEEDING ON PUBLIC PROPERTY

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date September 12, 2005, at 7:00 p.m.

ORDINANCE INTRODUCTION AND FIRST READING

Mayor Kemp read by title the Ordinance for introduction.

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER XVII, "LAND USE AND DEVELOPMENT," ARTICLE VI, "DESIGN STANDARDS," OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOPEWELL

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

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

ORDINANCE INTRODUCED

Second reading, public hearing date September 12, 2005, at 7:00 p.m.

CONSENT AGENDA ITEMS

Committee Member Niederer recommended that the proposed "Resolution Authorizing Refunds from Hopewell Township for Overpayment of 2005 Taxes Due to Overbilling" be amended by deleting listed items 2 and 3 (Block 40, Lot 14C03 and Block 40, Lot 14C04). She further recommended that said two items be deleted from the Bills and Claims Resolution pending review by appropriate township officials.

RESOLUTIONS #05-218 THROUGH #05-229. Read by title.

Motion by Sandahl, seconded by Niederer to adopt Resolution #05-218 as amended, and Resolutions #05-219 through #05-229.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-218

**A RESOLUTION AUTHORIZING
REFUNDS FROM HOPEWELL TOWNSHIP FOR
OVERPAYMENT OF 2005 TAXES DUE TO OVERBILLING**

BE IT RESOLVED, on this 8th day of August 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 refunded the amounts shown as overpayment of 2005 taxes:

BLOCK	LOT	OWNER OF RECORD	AMOUNT
4	20 QFARM	Widman Carl E & MaryJean M 178 Van Dyke Rd Hopewell, NJ 08525	\$56.67
48	3.01QFARM	Harbat Henry & Lidia I 28 Yard Rd Pennington, NJ 08534	\$449.28
48	50	Wetterling Jeffrey & Nancy 165 Pennington Harbourton Rd Pennington, NJ 08534	\$15.35
91	1.03 QFARM	Hopewell Properties 24 Franklin Dr Plainsboro, NJ 08536	\$319.70
123	8	Curley Russell J & Hart Jennifer L 1402 River Rd Titusville, NJ 08560	\$494.52
129	124 Q0118	Topley John & Susan S 26 Fern Ridge Lane Titusville, NJ 08560	\$640.21

R E S O L U T I O N #05-219

**A RESOLUTION AUTHORIZING
REFUNDS FOR OVERPAYMENT OF 2005
TAXES PLUS 5% INTEREST DUE TO
SUCCESSFUL COUNTY TAX BOARD APPEALS**

BE IT RESOLVED, on this 8th day of August 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following individuals and/or corporations be refunded the amounts shown as refunds of 2005 taxes due to successful county tax appeals.

BLOCK	LOT	REFUND TO	AMOUNT
63	38	Norton John J & Anita 4 Hedge Row Ct Columbus, NJ 08022 Successful county board tax appeal	\$1220.01 (principal) 23.11 (interest) \$1243.12 (total)
65	66	Kettell Jr Esq, Alfred L & Ewing Ingleside LLC C/O Kettel 23 Rte 31 North, Ste 10B Pennington, NJ 08534 Successful county board tax appeal	\$287.95 (principal) 3.76 (interest) \$291.71 (total)

R E S O L U T I O N #05-220

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

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

NOW, THEREFORE, BE IT RESOLVED, on this 8th day of August 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
62.02	4	First American Real Estate Tax Service ATTN: Tax Refunds 1201 Elm St., Suite 400 Dallas, TX 75270	\$6925.58

Owner of record: Nini & Holloway
Erroneous pmt 1st and 2nd qtr

R E S O L U T I O N #05-221

**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 8th day of August 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:

Colleen Birkhofer	3 Pine Tavern Court	Pennington, NJ 08534	\$275.00
Valerie Stuermer	111 West Prospect St	Hopewell, NJ 08525	\$150.00
Krista Atkeson	201 Wertsville Rd	Ringoes, NJ 08551	\$150.00
Cindy Batchelder	32 Eglantine Ave	Pennington, NJ 08534	\$150.00

Nancy Gallagher	28 Wyckoff Drive	Pennington, NJ 08534	\$150.00
Susan McCabe	135 Brandon Rd	Pennington, NJ 08534	\$150.00
Nancy O'Leary	89 Stony Brook Rd	Hopewell, NJ 08525	\$150.00
Steven Palder	334 Hope-Amwell Rd	Hopewell, NJ 08525	\$200.00

RESOLUTION #05-222

A RESOLUTION APPROVING THE PAYMENT OF THE BALANCE OF UNUSED VACATION TIME TO MARY ANN HUTCHINSON

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; and

WHEREAS, a portion of unused vacation leave was previously approved for payout.

NOW, THEREFORE, BE IT RESOLVED on this 8th day of August 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the payout of the balance of accumulated vacation leave as calculated by the Chief Financial Officer in the amount of \$391.73 to Mary Ann Hutchinson is hereby approved.

RESOLUTION #05-223

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 8th day of August 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That Health Bond Money (\$500.00), for Block 62, Lot 12.16 posted on 10/28/04 by Toll Bros., Inc., 250 Gibraltar Road, Horsham, PA 19044, be and is hereby released.
2. That Temporary CO Bonds (\$5,000.00) for Building, (\$1,000.00) for Driveway and (\$1,000.00) for Health for Block 62, Lot 12.15 posted on 6/22/04 by Toll Bros., Inc., 250 Gibraltar Road, Horsham, PA 19044, be and is hereby released.
3. That Temporary CO Bonds (\$1,000.00) for Driveway, (\$10,569.00) for Engineering and (\$500.00) for Health for Block 62, Lot 12.17 posted on 2/17/04 by Toll Bros., Inc., 250 Gibraltar Road, Horsham, PA 19044, be and is hereby released.
4. That Temporary CO Bonds (\$11,080.50) for Engineering and (\$1,000.00) for Health for Block 62, Lot 12.21 posted on 7/28/03 & 8/12/03 by Toll Bros., Inc., 250 Gibraltar Road, Horsham, PA 19044, be and is hereby released.
5. That Engineering Bond Money (\$12,000.00) for Block 23, Lot 9 posted on 8/17/04 by Hopewell Valley Community Bank, PO Box 999, Pennington, NJ 08534, be and is hereby released.

RESOLUTION #05-224

A RESOLUTION APPOINTING TIMOTHY DIETERMAN AS ACTING TEMPORARY PLUMBING SUBCODE OFFICIAL

WHEREAS, Timothy Dieterman was appointed by the Township Committee on June 13, 2005 as a temporary, part-time plumbing and building inspector at a rate of \$28.64 per hour; and

WHEREAS, the Township has a current need for an Acting Temporary Plumbing Subcode Official; and

WHEREAS, Timothy Dieterman has the proper certification and qualifications to meet that need.

NOW, THEREFORE, BE IT RESOLVED on this 8th day of August 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that Timothy Dieterman be and is hereby appointed as Acting Temporary Plumbing Subcode Official with an added compensation of \$2.19 per hour, resulting in a new hourly rate of \$30.83 for all duties, effective July 18, 2005.

R E S O L U T I O N #05-225

A RESOLUTION APPOINTING ROBERT B. CORBY AS ACTING TEMPORARY PLUMBING SUBCODE OFFICIAL

WHEREAS, Timothy Dieterman is being appointed as Acting Temporary Plumbing Subcode Official; and

WHEREAS, Mr. Dieterman had planned a vacation prior to this appointment.

NOW, THEREFORE, BE IT RESOLVED on this 8th day of August 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that Robert B. Corby be and is hereby appointed as Acting Temporary Plumbing Subcode Official while Mr. Dieterman is on vacation for the period of July 27 and 28, 2005.

BE IT FURTHER RESOLVED that Robert B. Corby be compensated at an hourly rate of \$30.83.

R E S O L U T I O N #05-226

A RESOLUTION ACCEPTING THE RESIGNATION OF SCOTT ZAPORA, VIOLATIONS ACCOUNT CLERK

WHEREAS, Scott Zapora has been employed as Violations Account Clerk in the Municipal Court since August 11, 2003; and

WHEREAS, Scott Zapora has submitted his resignation effective August 5, 2005.

NOW, THEREFORE, BE IT RESOLVED on this 8th day of August 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That Scott Zapora's resignation effective August 5, 2005 be and is hereby accepted with regret.

2. That the Township Committee, on behalf of the municipal staff, wishes Scott success in his future endeavors.

R E S O L U T I O N #05-227

RESOLUTION SUPPORTING THE "YOU DRINK AND DRIVE, YOU LOSE" 2005 ENFORCEMENT PROJECT HIGHWAY SAFETY GRANT

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 39% of motor vehicle fatalities in New Jersey are alcohol-related; and
WHEREAS, a national enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the summer season is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *You Drink and Drive, You Lose 2005 Enforcement Project*; and

WHEREAS, the project will involve increased impaired driving enforcement from August 19 - September 5, 2005; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED on this 8th day of August 2005, that the Township Committee of the Township of Hopewell, Mercer County, New Jersey, declares its support for the *You Drink and Drive, You Lose 2005 Enforcement Project* from August 19 - September 5, 2005, and pledges to increase awareness of the dangers of drinking and driving.

R E S O L U T I O N #05-228

A RESOLUTION AUTHORIZING THE EXECUTION AND SUBMISSION OF THE 2006 MERCER COUNTY MUNICIPAL ALLIANCE PLAN FUNDING APPLICATION

WHEREAS, the Township of Hopewell is a participant in the Mercer County Municipal Alliance Program for the prevention of Drug and Alcohol Abuse; and

WHEREAS, a Request for Funding Proposal for the 2006 Municipal Plan has been formulated to be submitted to the County of Mercer.

NOW, THEREFORE, BE IT RESOLVED, on this 8th day of August 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the Mayor be and is hereby authorized to execute the application for funding the 2006 Mercer County Municipal Alliance Plan.

R E S O L U T I O N #05-229

A RESOLUTION APPOINTING EMERGENT HELP IN THE MUNICIPAL COURT

WHEREAS, from time to time, it may be necessary to designate emergent court clerical staff to serve in the absence of the duly appointed court clerical staff; and

WHEREAS, the court administrator has recommended that the following individuals be designated as emergent court clerical staff for Hopewell Township at an hourly rate of \$20.00 per hour:

1. Scott I. Zapora - Mansfield Township Deputy Court Administrator
2. Jennifer Ledger - Hightstown Borough Deputy Court Administrator
3. Nancy MacLean - Pennington Borough Court Administrator
4. Susan Milewski - retired; Hopewell Township Court Administrator

NOW, THEREFORE, BE IT RESOLVED on this 8th day of August 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the above named individuals be appointed as emergent court clerical staff for the municipal court.

RESOLUTION #05-230. Read by title.

Motion by Niederer, seconded by Sandahl to adopt Resolution #05-230.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-230

**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)
(DRUNK DRIVING ENFORCEMENT 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 \$6,091.52 from the State of New Jersey Department of Law and Public Safety and wishes to amend its 2005 Budget by \$6,091.52 to include the amount received as revenue.

NOW, THEREFORE, BE IT RESOLVED on this 8th day of August 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 \$6,091.52 which item is now available as a revenue from:

Drunk Driving Enforcement Grant	\$6,091.52
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BE IT FURTHER RESOLVED that a like sum of \$6,091.52 be and the same is hereby appropriated as follows:

Drunk Driving Enforcement Grant	\$6,091.52
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RESOLUTION #05-231. Read by title.

Motion by Sandahl, seconded by Iorio to adopt Resolution #05-231.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-231

**A RESOLUTION AMENDING 2005
PROFESSIONAL SERVICES AGREEMENT
(OSTERGAARD ACOUSTICAL 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 this agreement to change the amount of the contract; and

WHEREAS, the Chief Financial Officer has certified that the funds are available.

NOW, THEREFORE, BE IT RESOLVED on this 8th day of August 2005, 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:

FIRM	CURRENT MAXIMUM	PROPOSED MAXIMUM
Ostergaard Acoustical Associates (Noise Consultant Services)	\$5,000.00	\$20,000.00

RESOLUTION #05-232. Read by title.

Motion by Sandahl, seconded by Niederer to adopt Resolution #05-232.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-232

**RESOLUTION APPROVING RENEWAL OF
RETAIL ALCOHOLIC BEVERAGE
LICENSE NO. 1106-33-009-007
(MICHAELANGELO, ASSOCIATES, LLC)
FOR THE 2005-2006 TERM**

WHEREAS, a renewal application has been filed with the Township of Hopewell together with the required renewal fees for the 2005-2006 license term of Plenary Retail Consumption License Number 1106-33-009-007, held by Michaelangelo Associates, LLC; and

WHEREAS, the license has been inactive for more than two license terms; and

WHEREAS, the licensee has filed a request for a Special Ruling from the Director of the New Jersey Division of Alcoholic Beverage Control to permit renewal of an inactive license pursuant to N.J.S.A. 33:1-12.39; and

WHEREAS, the Director of the New Jersey Division of Alcoholic Beverage Control has issued a Special Ruling and finds that the licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of the license for the 2005-2006 license term; and

WHEREAS, the Special Ruling hereby authorizes the Township Committee of the Township of Hopewell to consider the application for renewal of the subject license for the 2005-2006 license term; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hopewell, County of Mercer, does hereby approve, effective August 8, 2005, the application for renewal of Inactive Plenary Retail Consumption License No. 1106-33-009-007 held by Michaelangelo Associates, LLC for the 2005-2006 license term.

RESOLUTION #05-233. Read by title.

Motion by Iorio, seconded by Niederer to adopt Resolution #05-233.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-233

**A RESOLUTION APPOINTING
EX-OFFICIO MEMBER TO
THE SENIOR ADVISORY BOARD**

BE IT RESOLVED, on this 8th day of August 2005, that I, Arlene A. Kemp, Mayor of the Township of Hopewell, County of Mercer, State of New Jersey, do hereby appoint Hopewell Township Administrator Bruce Hilling as ex-officio member to the Senior Advisory Board.

RESOLUTION #05-234. Read by title.

Motion by Sandahl, seconded by Iorio to adopt Resolution #05-234 as amended.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-234

**A RESOLUTION SETTING FORTH PROCEDURES
FOR THE USE OF HOPEWELL TOWNSHIP
BUILDINGS BY OUTSIDE GROUPS**

WHEREAS, the governing body hereby finds that certain buildings owned by the Township of Hopewell are not used for public purposes during certain periods of time and further finds that some of these buildings contain separate facilities and/or meeting halls, the proper use of which will not in any way interfere with, interrupt or affect the primary function for which the buildings were constructed; and

WHEREAS, it is a further finding of the governing body that civic-oriented and nonprofit organizations within the Township of Hopewell have used these buildings for meetings and various functions, and that such meetings and functions are beneficial to the overall good of the Township of Hopewell;

NOW, THEREFORE, BE IT RESOLVED on this 8th day of August 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that any civic-oriented or nonprofit organization in the Township of Hopewell shall be permitted to use the buildings owned by the Township of Hopewell, subject to permission of the Township Committee in accordance with the following procedures, conditions and rules.

Procedure for obtaining permission

Any group seeking to use of a public building shall:

- A. Submit a letter to the Municipal Clerk stating the time and purpose of the use and specifically which building or portion of which building is requested. This should be done at least two weeks before action is required by the Hopewell Township Committee.
- B. The letter should list names and addresses of those officers or persons in charge of said organization, who will be individually responsible for the care, use and possible damage to any buildings, equipment and/or furniture. He/she will also be responsible to ensure rooms utilized are cleaned and returned to their original state and that all fire code requirements are adhered to.
- C. The Municipal Clerk will forward the request to the Township Committee for appropriate action at the first available Township Committee meeting.

Conditions for granting permission

Said application shall be granted only if the holding of said meeting and/or function shall not interfere with the primary function for which said buildings are constructed.

Rules governing use

The governing body may by resolution make additional rules and regulations governing the use of said public buildings, including but not limited to prescribing security deposits, payment of township personnel overtime costs to support the function, and proof of insurance for the use of said buildings.

RESOLUTION #05-235. Read by title.

Motion by Sandahl, seconded by Iorio to adopt Resolution #05-235.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-235

**A RESOLUTION APPROVING CASH BOND
RELEASE FOR CUBBERLY HILL ESTATES/HOPEWELL
RIDGE PROPERTIES (BLOCK 93, FORMERLY LOT 7)**

WHEREAS, Hopewell Ridge Properties, Inc. has requested a release of the cash bond currently held by the township for water connection improvements in relation to the referenced development; and

WHEREAS, the Township Engineer has reviewed the request and recommends (per memorandum dated July 15, 2005, attached to and made a part hereof) release of the cash bond that has been held by the Township for the required ten year period;

NOW, THEREFORE, BE IT RESOLVED, on this 8th day of August 2005, by the Township Committee of the Township of Hopewell that the cash bond in the amount of \$4,000.00 held by the Township for water connection improvements be and is hereby

released.

RESOLUTION #05-236. Read by title.
 Motion by Sandahl, seconded by Sandom to adopt Resolution #05-236.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-236

**A RESOLUTION AWARDING A CONTRACT TO
 MICRO PAVE SYSTEMS, INC.
 FOR 2005 ROAD MATERIALS**

WHEREAS, the Township of Hopewell advertised for bids for 2005 Road Materials; and

WHEREAS, the Township received two bids on July 27, 2005 as outlined on the attached worksheet; and

WHEREAS, the Purchasing Agent and the Director of Community Services have reviewed the bids, and make recommendation for award of a contract to Micro Pave Systems Inc., a low responsive, responsible bidder; and

WHEREAS, the Chief Financial Officer has certified the availability of funds.

NOW, THEREFORE, BE IT RESOLVED on this 8th day of August 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That a contract be and is hereby awarded to Micro Pave System, Inc., P.O. Box 295, Cedar Knolls, NJ 07927 for 2005 Road Materials.
2. That the contract is not to exceed \$2,145.00.
3. That the Mayor and Clerk be and are hereby authorized to execute said contract.

RESOLUTION #05-237. Read by title.
 Motion by Sandahl, seconded by Iorio to adopt Resolution #05-237.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-237

**A RESOLUTION AWARDING A
 CONTRACT TO TRAP ROCK INDUSTRIES, INC.
 FOR 2005 ROAD MATERIALS**

WHEREAS, the Township of Hopewell advertised for bids for 2005 Road Materials; and

WHEREAS, the Township received two bids on July 27, 2005 as outlined on the attached worksheet; and

WHEREAS, the Purchasing Agent and the Director of Community Services have reviewed the bids, and make recommendation for award of a contract to Trap Rock Industries, Inc., P.O. Box 419, Kingston, NJ 08538, a low responsive, responsible bidder; and

WHEREAS, the Chief Financial Officer has certified the availability of funds.

NOW, THEREFORE, BE IT RESOLVED on this 8th day of August 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That a contract be and is hereby awarded to Trap Rock Industries, Inc., P.O. Box 419, Kingston, NJ 08538 for 2005 Road Materials.
 2. That the contract is not to exceed \$156,652.50.
 3. That the Mayor and Clerk be and are hereby authorized to execute said contract.
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RESOLUTION #05-238. Read by title.

Motion by Iorio, seconded by Sandahl to adopt Resolution #05-238.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-238

**RESOLUTION APPROVING AN AMENDMENT TO
DEVELOPER'S CONSTRUCTION AGREEMENT
BETWEEN THE TOWNSHIP OF HOPEWELL AND
THE HOPEWELL SHOPPING CENTER ASSOCIATES, LLP
(BLOCK 78, LOT 15.99)**

BE IT RESOLVED, on this 8th day of August 2005, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That the AMENDMENT TO DEVELOPER'S CONSTRUCTION AGREEMENT dated June 19, 2003 between the Township of Hopewell and the Hopewell Shopping Center Associates, LLP, 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 the amendment to the Developer's Construction Agreement between the Township of Hopewell and Hopewell Shopping Center Associates, LLP.

RESOLUTION #05-239. Read by title.

Motion by Sandahl, seconded by Iorio to adopt Resolution #05-239.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #05-239

**A RESOLUTION AWARDDING A CONTRACT TO
TRAFFIC LINES, INC. FOR
2005 ROADWAY STRIPING**

WHEREAS, the Township of Hopewell advertised for 2005 Roadway Striping; and
WHEREAS, the Township received four bids on August 8, 2005 as follows;

Bid Results

B5-08

2005 Roadway Striping

Vendor	707.000 LF Yellow	217.000 LF White	Total Award
Denville Line Painting	\$38.885. (.055 per LF)	\$11.935. (.055 per LF)	\$50.820.00
Traffic Lines, Inc.	\$31.815. (.045 per LF)	\$9.765. (.045 per LF)	\$41.580.00
State Wide Paving	\$42.420. (.06 per LF)	\$13.020. (.06 per LF)	\$55.440.00
Zone Striping	\$41.712. (.05 per LF)	\$10.633. (.04 per LF)	\$52.345.00

WHEREAS, the bids were received and reviewed by the Purchasing Agent and the Director of Public Works and recommendation has been made for award to Traffic Lines, Inc., 5100 Asbury Road, Farmingdale, New Jersey 07727 lowest responsive, responsible bidder; and

WHEREAS, the Township Chief Financial Officer certifies funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED on this 8th day of August 2005, by the Township of Hopewell Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That a contract be and is hereby awarded to Traffic Lines, Inc., 5100 Asbury Road Farmingdale, New Jersey 07727 for 2005 Roadway Striping.
2. That the contract not exceed \$41,580.00.
3. That the Mayor and Clerk be and is hereby to execute said contract.

Discussion was held as to a proposal to hire a consultant to study the fiscal impact of a residential development project. The proposed study could be funded by the use of developer's escrow monies at a cost of approximately \$12,000. It was the consensus of the Committee to authorize the Township Engineer to bid the project.

RESOLUTION #05-240. Read by title.

Motion by Sandahl, seconded by Iorio to adopt Resolution #05-240, as amended by deleting the two aforementioned items from Resolution #05-218.

ROLL CALL VOTE:

AYES: Iorio, Niederer, Sandahl, Sandom, Kemp

NOES: None

R E S O L U T I O N #05-240

B I L L S & C L A I M S

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment dated August 8, 2005, in the following amounts:

Bills and Claims	-	\$11,129,537.04
Payroll	-	\$ 582,916.77
Total Disbursements		-\$11,711,453.81

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

At 11:28 p.m., motion by Iorio, seconded by Sandahl to adjourn the meeting.

MOTION UNANIMOUSLY CARRIED

ANNETTE C. BIELAWSKI
MUNICIPAL CLERK