

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

Monday, March 21, 2022 – 6:33 p.m.

PROPER STATEMENT OF NOTICE – Mayor Peters-Manning 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, The Times, the Trentonian and the Hopewell Express (the official newspapers) on January 5, 2022, in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975.

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

COMMITTEE MEMBERS PRESENT: David Chait, Kevin Kuchinski, Michael Ruger,
Mayor Courtney Peters-Manning

ABSENT: Uma Purandare

STAFF PRESENT: Administrator/Public Works Director George Snyder, Deputy
Municipal

Clerk Katherine Fenton-Newman, CFO Julie Troutman, Director of
Community Development/Engineer James Hutzelmann, Police Director
Robert Karmazin, Township Attorney Steve Goodell

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

MINUTES SUBMITTED FOR APPROVAL

Motion by Ruger, seconded by Kuchinski to approve November 8, 2021 Regular and Executive Session Meeting Minutes and November 22, 2021 Regular and Executive Meeting Minutes.

ABSTAIN: Chait

MOTION CARRIED

PRESENTATION – WOOLSEY PARK BAND SHELL

Committee Member Ruger explained that last year the State of New Jersey granted Hopewell Township \$500,000 for the construction of a band shell; that the requirements are that the money must be used for the construction of a band shell; that the money includes the construction of the band shell, landscaping and the associated parking; that there are constraints such as it does not include things like water and septic; that it is the intention not to use Hopewell Township money to construct the band shell; and that construction needs to be finished by May 2023.

Mr. Hutzelmann explained that the Township requested proposals for a consultant for the band shell and as a result of that bid, the Township Committee chose Suburban Consulting Engineers as the winning firm. He further explained that Suburban Consulting provided a three-month time frame for the preliminary design; that they will seek input from the Township Committee, staff and members of the Woolsey Park Advisory Committee and afterward, come back with an initial design and cost estimate. Mr. Hutzelmann advised that final design will take anywhere from three to six months and explained the process that would lead up to the construction being finalized in May 2023.

Committee Member Ruger recognized the members of the Woolsey Park Committee and then presented a slideshow which outlined the following:

- Band Shell Use Case Requirements
 - Access
 - Location
 - Electricity
 - Size
 - Lighting
 - Sound
 - Drop Down Screen
 - Truss System

- Band Shell Use Case “Nice to Haves”
 - Running Water
 - Lavatories
 - Septic
 - Preparation Space
 - Concession Stand
 - Ticket Booth
 - Improved Lighting

- Provided an aerial map with four potential sights with the locations having electricity, drainage and noise in mind.
- Site should not interfere with memorials.
- Suggested the possibility of a future arboretum.
- Suggested the possibility of a future pavilion.
- Suggested the possibility of a playground.
- Suggested the possibility of a COVID-19 memorial.
- Suggested the possibility of permanent restrooms.
- Band Shell cannot be placed where it will interfere with the Fireworks display.
- The Band Shell should be east or south facing due to prevailing winds and weather.

Committee Members discussed the location of the Band Shell; parking; and capacity. Mr. Hutzelmann related what he would be directing the consultants to include. A discussion then ensued regarding matters the consultants should be considering.

COMMITTEE MEMBERS AND STAFF REPORTS

Mr. Snyder reported that the mask mandates for the Township buildings has been lifted and that PSE&G has requested to work on the Mount Rose substation line on Saturdays and Sundays.

Mr. Hutzelmann reported that the Harbourton Rocktown paving project started today; that the project will require full closure of the road and last approximately one week; and that the Public Works salt barn project will be bid on April 5.

Mr. Hutzelmann advised that he followed up with Mercer County regarding the Moores Station Quarry excavation; that Trap Rock did excavate deeper than permitted; and that the County will be working with Trap Rock on a reclamation program prior to the final design of the park being installed afterward.

Mr. Goodell reported that on Friday he accepted service of a complaint that had been filed on behalf of the Mayors of the Boroughs of Pennington and Hopewell against the Township Committee; that the complaint sought to set aside the PILOT agreement that was entered into with Lennar; that it was filed with the Superior Court in Mercer County; and that it was an action in lieu of prerogative writ which means it will be handled very quickly by the Court. Mr. Goodell advised that he will work with the Boroughs’ attorney to get all the facts before the Court as soon as possible and that he will discuss the complaint with the Committee in detail in closed session.

Committee Member Chait reported on the Affordable Housing Committee’s meeting; that they reviewed Affordable Assistance applications as well as the affordable sales status report; and provided information on Freon and bulk waste collection.

Committee Member Kuchinski reported that work on the Municipal Operating Budget continues; that work on the operating budget should be concluded shortly; that the Planning

Board will be meeting this Thursday; that they will be memorializing the agreement for BeiGene at the Bristol-Myers Squibb campus; that the Historic Preservation Commission put forth several important initiatives at their last meeting; that one of the initiatives was that they are looking for a grant related to the historical properties at Washington State Park; that they also advanced work on the Harts Corner School House, which will be coming before the Township Committee; and that the Cannabis Ordinance is on the Planning Board agenda.

Mayor Peters-Manning advised that this week’s Deer Management Advisory Committee meeting has been cancelled and that the Police Department will be donating out-of-service bulletproof vests to the Ukraine.

PUBLIC SECTION

The following members of the public spoke during public comment:

Harvey Lester, a resident of Continental Lane, objected to the first public comment section being limited to items on the agenda and requested to have a vote immediately to lift the restriction.

John Hart, a resident of Titus Mill Road, echoed what Mr. Lester said; questioned if all municipalities received a grant for a band shell; suggested using a temporary band shell; and questioned what the Township is doing with the two farms across the street from the Municipal Building.

James Burd, a resident of Nursery Road, suggested that Township Committee meetings should be held at 7:00 p.m.

Jon Edwards, a resident of Pennington Harbourton Road, endorsed what Mr. Lester and Mr. Burd said; gave thanks for sending the bulletproof vests to the Ukraine; and made certain remarks about West Windsor and PILOT programs.

The detailed public comment may be viewed at www.hopewelltp.org in the video library.

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Peters-Manning read by title the introduced ordinance:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$5,929,075 THEREFOR, INCLUDING \$530,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES, AND AUTHORIZING THE ISSUANCE OF \$4,863,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

Mayor Peters-Manning declared public hearing open. No comments from the public. Motion by Kuchinski, seconded by Chait to close public hearing.

MOTION UNANIMOUSLY CARRIED

Motion by Kuchinski, seconded by Ruger to adopt the introduced ordinance.

ROLL CALL VOTE:

AYES: Chait, Kuchinski, Ruger, Mayor Peters-Manning

NOES: None

ABSENT: Purandare

ORDINANCE ADOPTED

Ordinance advertised March 4, 2022, Hopewell Valley News. Posted municipal bulletin board as required by law.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF HOPEWELL, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$5,929,075 THEREFOR, INCLUDING \$530,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES, AND AUTHORIZING THE ISSUANCE OF \$4,863,000 BONDS OR NOTES 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. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$530,000 of the proceeds of obligations originally made available pursuant to the following bond ordinance of the Township of Hopewell, in the County of Mercer, New Jersey (the "Township") are no longer necessary for the various purposes for which the obligations previously were authorized:

<u>Ordinance Number</u>	<u>Improvement Description</u>	<u>Date of Adoption</u>	<u>Amount to be Re-Appropriated</u>
Section 3(a)(i) of bond ordinance 19-1712	The 2019 Road Maintenance Program, including all work and materials necessary therefor and incidental thereto.	June 3, 2019	\$60,000.00
Section 3(a)(ii) of bond ordinance 19-1712	The 2019 Chip Seal Program, including all work and materials necessary therefor and incidental thereto.	June 3, 2019	\$100,000.00
Section 3(a)(ii) of bond ordinance 20-1725	The 2020 Chip Seal Program, including all work and materials necessary therefor and incidental thereto.	February 18, 2020	\$150,000.00
Section 3(a) of bond ordinance 21-1743	The 2021 Road Programs for various roads, the 2022 Road Program and the 2021 maintenance program (base), including all work and materials necessary therefor and incidental thereto.	March 15, 2021	\$220,000.00
TOTAL:			\$530,000.00

Section 2. The \$530,000 proceeds described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 are hereby reappropriated to provide for the purpose in Section 5(f)(2) below.

Section 3. The several improvements described in Section 5 of this bond ordinance are hereby respectively authorized to be undertaken by the Township as general improvements. For the several improvements or purposes described in Section 5, 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 \$5,929,075, including the \$530,000 reappropriated in Section 2 hereof, a grant in the amount of \$280,000 from the State of New Jersey Department of Transportation for the purpose in Section 5(f)(2) (the "State Grant") and further including the aggregate sum of \$256,075 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 4. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, the amounts reappropriated in Section 2 hereof and the State Grant described in Section 3 hereof, negotiable bonds are hereby authorized to be issued in the principal amount of \$4,863,000 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 5. 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 & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
<p>a) <u>Department of Public Works</u></p> <p>1) The acquisition of a jet vac truck, a mason dump truck, a utility truck for Parks and Recreation and a pick up truck, including all related costs and expenditures incidental thereto.</p> <p>2) The acquisition of a brush cutter, a compact loader and light towers, including all related costs and expenditures incidental thereto.</p>	<p>\$475,000</p> <p>\$135,000</p>	<p>\$451,250</p> <p>\$128,250</p>	<p>5 years</p> <p>15 years</p>
<p>b) <u>Buildings and Grounds</u></p> <p>1) The construction of a salt barn and the acquisition of an electronic door lock system, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.</p> <p>2) The replacement of exhaust fans and heat pumps/heating, ventilation and air-conditioning upgrades, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.</p>	<p>\$148,000</p> <p>\$40,000</p>	<p>\$140,600</p> <p>\$38,000</p>	<p>10 years</p> <p>15 years</p>
<p>c) <u>Administration</u></p> <p>1) The acquisition and installation of information technology network switches and the replacement of information technology servers, including all related costs and expenditures incidental thereto.</p> <p>2) The acquisition of sport utility vehicles for the municipal building staff, including all related costs and expenditures incidental thereto.</p>	<p>\$40,000</p> <p>\$66,000</p>	<p>\$38,000</p> <p>\$62,700</p>	<p>5 years</p> <p>5 years</p>

3) The Emergency Services Future Needs Study, including all related costs and expenditures incidental thereto.	\$45,000	\$42,750	15 years
<p>d) <u>Police Department</u></p> <p>1) The acquisition of crossover utility vehicles, including all related costs and expenditures incidental thereto.</p> <p>2) The acquisition of portable radios, handguns, a station/door intercom system, mobile radios and an alcotest system, including all related costs and expenditures incidental thereto.</p>	\$155,000	\$147,250	5 years
<p>e) <u>Historic Preservation</u></p> <p>Repairs to the Distillery Whiskey House, including, but not limited to, repointing and carpentry and further including all work and materials necessary therefor and incidental thereto.</p>	\$6,000	\$5,700	10 years
<p>f) <u>Streets and Roads</u></p> <p>1) The 2022 Chip Seal Program, all as set forth on a list on file in the Office of the Clerk, including all work and materials necessary therefor and incidental thereto.</p>	\$1,455,500	\$1,382,725	10 years
<p>2) The 2022 Road Program, all as set forth on a list on file in the Office of the Clerk, including the design of the 2023 program and Harbourton Rocktown Road, including all work and materials necessary therefor and incidental thereto.</p>	\$2,340,500 (includes \$530,000 reappropriation amount and \$280,000 grant from the State of New Jersey Department of Transportation)	\$1,453,853.75	10 years
3) The Road Program Study, including all related costs and expenditures incidental thereto.	\$45,000	\$42,750	15 years

<p>4) Traffic calming and the Guiderail Replacement Program, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$270,400</p>	<p>\$256,880</p>	<p>10 years</p>
<p>5) Drainage improvements and the Stormwater Rehabilitation Project for Coventry Lane, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$393,800</p>	<p>\$374,110</p>	<p>20 years</p>
<p>g) <u>Parks and Recreation</u> Refurbishment of tennis courts and basketball courts at Independence Park, the installation of a perimeter fence at Independence Park and Skate Park and the planning and design of Woolsey Park, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.</p>	<p><u>\$189,875</u></p>	<p><u>\$180,381.25</u></p>	<p>15 years</p>
<p>Total</p>	<p><u>\$5,929,075</u></p>	<p><u>\$4,863,000</u></p>	

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, as applicable.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation 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 bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 7. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 8. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 5 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully

undertake as general improvements, and no part of the cost 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 10.49 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 \$4,863,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$460,000 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 purposes or improvements.

Section 9. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 4 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 5 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 10. Any grant moneys received for the purposes or improvements described in Section 5 hereof shall be applied either to direct payment of the cost of the improvements or, if other than the State Grant referred to in Section 3 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 11. 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 12. 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 property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 13. 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 Peters-Manning read by title the introduced ordinance:

CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE
MUNICIPAL BUDGET APPROPRIATION AND TO ESTABLISH A
CAP BANK (N.J.S.A. 40A:4-45.14)

Mayor Peters-Manning declared public hearing open.

Jon Edwards questioned why the Ordinance was needed.

Motion by Ruger, seconded by Kuchinski to close public hearing.

MOTION UNANIMOUSLY CARRIED

Motion by Chait, seconded by Ruger to adopt the introduced ordinance.

ROLL CALL VOTE:

AYES: Chait, Kuchinski, Ruger, Mayor Peters-Manning

NOES: None
ABSENT: Purandare
ORDINANCE ADOPTED

Ordinance advertised March 11, 2022, Hopewell Valley News. Posted municipal bulletin board as required by law.

ORDINANCE NO. 22-1768

**CALENDAR YEAR 2022 ORDINANCE
 TO EXCEED THE MUNICIPAL BUDGET
 APPROPRIATION AND TO ESTABLISH A
 CAP BANK (N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of Hopewell in the County of Mercer finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$152,536.71 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to its final appropriations in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Hopewell, in the County of Mercer, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Township of Hopewell shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.15a be increased by 1.0% amounting to \$152,536.71 and that the CY 2022 municipal budget for the Township of Hopewell be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five days after such adoption.

ORDINANCE – FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Peters-Manning read by title the introduced ordinance:

AN ORDINANCE AMENDING THE COMPREHENSIVE SALARY
 AND WAGE PLAN FOR THE TOWNSHIP OF HOPEWELL, MERCER
 COUNTY, NEW JERSEY

Mayor Peters-Manning declared public hearing open. No comments from the public.
 Motion by Kuchinski, seconded by Chait to close public hearing.

MOTION UNANIMOUSLY CARRIED

Motion by Chait, seconded by Ruger to adopt the introduced ordinance.

ROLL CALL VOTE:

AYES: Chait, Kuchinski, Ruger, Mayor Peters-Manning

NOES: None
ABSENT: Purandare
ORDINANCE ADOPTED

Ordinance advertised March 11, 2022, Hopewell Valley News. Posted municipal bulletin board as required by law.

ORDINANCE NO. 22-1769

AN ORDINANCE AMENDING THE COMPREHENSIVE SALARY AND WAGE PLAN FOR THE TOWNSHIP OF HOPEWELL, MERCER COUNTY, NEW JERSEY

WHEREAS, the titles Tax Collector and Recreation Director must be changed to accommodate these employees who have been approved for an additional increase in 2022; and

WHEREAS, the existing salary range for Grades 9 and 10 must be changed to accommodate those positions which are in need of modifications in 2022; and

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

Section 3. The existing Comprehensive Salary and Wage Plan for the Township of Hopewell, Section 3, shall be amended as follows:

Grade	Classification	Minimum	Maximum
9	General Foreman Tax Collector Tax Assessor Human Resources Director <u>Assistant Director of Public Works</u>	47,000.	[98,000]. <u>102,000</u>
10	Municipal Court Administrator Recreation Director	49,000.	[85,000]. <u>94,000</u>

Section III. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of the Ordinance shall be deemed severable therefrom and shall not be affected.

Section IV. This Ordinance shall take effect upon the final passage and publication in the accordance with the law and shall be retroactive to April 10, 2022.

ORDINANCE – INTRODUCTION AND FIRST READING

Mayor Peters-Manning read by title the ordinance for introduction.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2, SECTION 2-2.10 “POLICE DEPARTMENT” OF THE TOWNSHIP OF HOPEWELL REVISED GENERAL ORDINANCES ESTABLISHING THE POSITION OF POLICE CHAPLAIN FOR THE HOPEWELL TOWNSHIP POLICE DEPARTMENT

Motion by Ruger, seconded by Chait to introduce the ordinance on first reading.

ROLL CALL VOTE:

AYES: Chait, Kuchinski, Ruger, Mayor Peters-Manning

NOES: None

ABSENT: Purandare

ORDINANCE INTRODUCED

Second reading, public hearing date April 18, 2022 at 6:30 p.m.

CONSENT AGENDA ITEMS

RESOLUTIONS #22-110 THROUGH #22-116, Read by title.

Motion by Kuchinski, seconded by Ruger to adopt Resolution #22-110 through #22-116 .

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N # 22-110

RESOLUTION FOR REDEMPTION OF TAX SALE CERTIFICATES

WHEREAS, on July 17, 2020 US Bank Cust-Tower DBX Trust 2020 purchased Tax Sale Certificate 20-00001, for property located at Block 8, Lot 112 known as 137 Reservoir Road, assessed to 137 Reservoir Road LLC.; this certificate was redeemed by Title Evolution LLC; as agent at time of sale; and

WHEREAS, the Township can now release the principal and interest received, and premium.

NOW, THEREFORE, BE IT RESOLVED, on this 21st day of March 2022, that the Township Committee of the Township of Hopewell, Mercer County, State of New Jersey, hereby authorizes the Tax Collector to release the amounts listed to the Lien Holder as specified below:

<u>BLOCK/LOT</u>	<u>OWNERS' NAME(S)</u>	<u>AMOUNT</u>	<u>LIEN HOLDER</u>	<u>PREMIUM</u>
8/112	137 Reservoir Rd LLC	\$54,521.19	Tower DBX Trust 2020	\$57,000.00

BE IT FURTHER RESOLVED that a copy of this approved resolution is forwarded to the Tax Collector.

R E S O L U T I O N #22-111

A RESOLUTION AUTHORIZING REFUNDS FOR HOPEWELL TOWNSHIP RECREATION DEPARTMENT PROGRAM PARTICIPANTS

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

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

NOW, THEREFORE, BE IT RESOLVED, on this 21st day of March, 2022 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:

Mike Morgan	102 Murphy Drive	Pennington 08534	\$190.00
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R E S O L U T I O N #22-112

RESOLUTION APPROVING THE APPLICATION OF THE RUTGERS MASTER GARDENERS OF MERCER COUNTY AND COOPERATIVE EXTENSION TO CONDUCT A PLANT EXPO AND GARDEN MARKET

WHEREAS, application has been made by the Rutgers Master Gardeners of Mercer County and Cooperative Extension to conduct a Plant Expo and Garden Market in the Township of Hopewell at the Mercer Educational Gardens and Mercer County Equestrian Center, 431A Federal City Road, Pennington, NJ on May 14, 2022 between the hours of 9:00 a.m. and 1:00 p.m.; and

WHEREAS, the Hopewell Township Health Department, the Hopewell Township Police Department and Hopewell Township Bureau of Fire Safety have reviewed the application and granted their approval to conduct the event 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 Plant Expo and Garden Market in accordance with the application submitted by the Rutgers Master Gardeners of Mercer County Cooperative Extension which is to be held May 14,

- 2022 between the hours of 9:00 a.m. and 1:00 p.m. at Mercer Educational Gardens and Mercer County Equestrian Center, 431A Federal City Road, Pennington, NJ.
2. Master Gardeners of Mercer County 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 Rutgers Master Gardeners of Mercer County Cooperative Extension, 1440 Parkside Avenue, Ewing, NJ 08638

R E S O L U T I O N #22-113

A RESOLUTION DIRECTING THE HOPEWELL TOWNSHIP ZONING OFFICER TO ISSUE A TEMPORARY ACTIVITIES PERMIT TO HOPE RISES UP - CATHERINE FULMER-HOGAN FOR A TRANSGENDER DAY OF VISIBILITY EVENT AT THE HOPEWELL TOWNSHIP MUNICIPAL BUILDING

WHEREAS, Hope Rises Up - Catherine Fulmer-Hogan seeks permission to use an outdoor area at the Hopewell Township Municipal Building for a Transgender Day of Visibility scheduled for March 31, 2022 from 7:00 p.m. to 8:30 p.m.; and

WHEREAS, one folding table, a microphone and speakers or a bullhorn are proposed to be used so that attendees may listen to public speakers scheduled for the event; and

WHEREAS, this proposal has been reviewed by the Hopewell Township Attorney who has advised that this proposal can be authorized under a Temporary Activities Permit issued by the Hopewell Township Zoning Officer; and

WHEREAS, this request has been reviewed by the Hopewell Township Police Department, the Hopewell Township Health Department, Hopewell Valley Fire Safety and the Municipal Construction Office who have raised no objections;

NOW, THEREFORE, BE IT RESOLVED, on this 21st day of March 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Hopewell Township Zoning Officer be directed to issue a Temporary Activities Permit to Hope Rises Up - Catherine Fulmer-Hogan for a Transgender Day of Visibility event on March 31, 2022, subject to receipt of all final approvals and comments from the Hopewell Township Police, Hopewell Township Health Officer, Hopewell Valley Fire Safety, Municipal Construction Office and Zoning Officer, and subject to any relevant restrictions on use, noise, signs, etc., including:

1. No open flames, heating devices or tents/canopies over 30'x 30' without the required fire safety permit.
2. The applicant must ensure compliance with any applicable Executive Orders in effect on the date of their event and should implement CDC guidance at their event.

R E S O L U T I O N #22-114

A RESOLUTION DIRECTING THE HOPEWELL TOWNSHIP ZONING OFFICER TO ISSUE A TEMPORARY ACTIVITIES PERMIT TO PENNINGTON FARMERS MARKET FOR THE 2022 SEASON

WHEREAS, the Pennington Farmers Market seeks permission to use the Rosedale Mills property along Route 31, extending across the southwest side of the property to just south of the main entrance for vendor set-up as well as parking for a few vehicles when necessary with access to the area through openings in the hedge on the western edge of the parking lot, providing a means for pedestrians to enter without walking across any driveways; and

WHEREAS, an area for seating and an entertainment tent will be located near the southern edge of the grassy area for the 2022 season, 26 consecutive Saturdays, commencing May 28, 2022 through November 19, 2022 with operational time from 9:00 a.m. - 1:00 p.m., with set-up of the site commencing at 8:00 a.m. and breakdown of the site at 1:30 p.m.; and

WHEREAS, the Rosedale Mills employees and the volunteers and vendors of the Farmers Market will park in the lot of the office building across Titus Mill Road, owned by the Lovero Family, who have granted permission for such use so as to ensure adequate parking for customers on the Rosedale Mills site; and

WHEREAS, this proposal has been reviewed by the Hopewell Township Attorney who has advised that this proposal can be authorized under a Temporary Activities Permit issued by the Hopewell Township Zoning Officer; and

WHEREAS, this request has been reviewed by the Hopewell Township Health Department, Hopewell Township Police Department, Hopewell Valley Fire Safety and the Municipal Construction Office who have raised no objections;

NOW, THEREFORE, BE IT RESOLVED, on this 21st day of March 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Hopewell Township Zoning Officer be directed to issue a Temporary Activities Permit to Pennington Farmers Market for the 2022 Season, 26 consecutive Saturdays, commencing May 28, 2022 through November 19, 2022 from 8:00 a.m. – 1:30 p.m., subject to receipt of all final approvals and comments from the Hopewell Township Health Officer, Hopewell Township Police, Hopewell Valley Fire Safety, Municipal Construction Office and Zoning Officer, and subject to any relevant restrictions on use, noise, signs, etc., or other permits as may be required, including:

1. The Health Department requests that the applicant provide a list of proposed food vendors on or before May 13, 2022.
2. Fire Safety Permits will be required for any open flames and/or cooking that includes the use of charcoal grills, propane grills, smokers, electric hot plates, induction burners and the like, which may take place during the market; this is a requirement of the NJ Uniform Fire Code.
3. The applicant must ensure compliance with any applicable Executive Order in effect on the date of their event and should implement CDC guidance at their event.

R E S O L U T I O N #22-115

A RESOLUTION DIRECTING THE HOPEWELL TOWNSHIP ZONING OFFICER TO ISSUE A TEMPORARY ACTIVITIES PERMIT TO SHANNON DAVILA FOR A WOMEN VETERAN’S DAY WELLNESS EVENT AT WOOLSEY PARK

WHEREAS, Shannon Davila, partnering with Capital Health System, Inc., seeks permission to use an outdoor area to the east of the entrance into Woolsey Park for a Women Veteran’s Day Wellness Event scheduled for June 11, 2022 from 8:00 a.m. to 12:00 p.m.; and

WHEREAS, approximately 50 participants and 10 support staff are expected to attend the event, to include a gathering of women veteran breast cancer survivors; and

WHEREAS, attendees will present lectures and a meditation session will be provided; and

WHEREAS, this proposal has been reviewed by the Hopewell Township Attorney who has advised that this proposal can be authorized under a Temporary Activities Permit issued by the Hopewell Township Zoning Officer; and

WHEREAS, this request has been reviewed by the Hopewell Township Police Department, the Hopewell Township Health Department, Hopewell Valley Fire Safety and the Municipal Construction Office who have raised no objections.

NOW, THEREFORE, BE IT RESOLVED, on this 21st day of March 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Hopewell Township Zoning Officer be directed to issue a Temporary Activities Permit to Shannon Davila for a Women Veteran’s Day Wellness Event scheduled for June 11, 2022 (Rain Date: June 18, 2022) subject to receipt of all final approvals and comments from the Hopewell Township Police, Hopewell Township Health Officer, Hopewell Valley Fire Safety, Municipal Construction Office and Zoning Officer, and subject to any relevant restrictions on use, noise, signs, etc., including:

1. No open flames, heating devices or tents/canopies over 30’x 30’ without the required fire safety permit.
2. The applicant must ensure compliance with any applicable Executive Orders in effect on the date of their event and should implement CDC guidance at their event.

R E S O L U T I O N #22-116

A RESOLUTION DIRECTING THE HOPEWELL TOWNSHIP ZONING OFFICER TO ISSUE A TEMPORARY ACTIVITIES PERMIT TO BELLEMONT FARM LLC

WHEREAS, Bellemont Farm, LLC seeks permission to use their property located at 22 Valley Road (Block 57, Lots 3 and 4) for a Concert Series; and

WHEREAS, parking will be provided in a temporary parking lot on the property in proximity to the concert area; and

WHEREAS, a maximum of 60 attendees is proposed along with 5 staff members and a band for all concert dates except July 23, 2022, whereby a maximum of 100 attendees is proposed along with 5 staff members and a band; and

WHEREAS, a ground level dance floor is proposed for the concert event scheduled for July 23, 2022; and

WHEREAS, a small, portable platform will be used for the band, and

WHEREAS, two (2) metal, charcoal fueled fire pits are proposed with grate tops, elevated 12 inches from the ground to prepare S'mores; and

WHEREAS, this proposal has been reviewed by the Hopewell Township Attorney who has advised that this proposal can be authorized under a Temporary Activities Permit issued by the Hopewell Township Zoning Officer; and

WHEREAS, this request has been reviewed by the Hopewell Township Health Department, Hopewell Township Police Department, Hopewell Valley Fire Safety and the Municipal Construction Office who have raised no objections;

NOW, THEREFORE, BE IT RESOLVED, on this 21st day of March 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Hopewell Township Zoning Officer be directed to issue a Temporary Activities Permit to Belmont Farm, LLC for a concert series from 7:00 p.m. to 9:00 p.m. on the following days:

July 2, 2022 ~ July 9, 2022 ~ July 16, 2022 ~ July 23, 2022 ~ August 6, 2022 ~ August 13, 2022 ~ August 20, 2022 ~ August 27, 2022 (Rain Dates: July 30, 2022 ~ September 3, 2022 ~ September 10, 2022)

Subject to receipt of all final approvals and comments from the Hopewell Township Health Officer, Hopewell Township Police, Hopewell Valley Fire Safety, Municipal Construction Official and Zoning Officer, and subject to any relevant restrictions on use, noise, signs, etc., or other permits as may be required, including:

1. A fire safety permit is required for the fire pits; the fire pits must be extinguished at the conclusion of each event. A water supply is required to control spot fires and for final extinguishment. The minimum amount of water required shall be sufficient to completely cool and flood the fire pits. The applicant will also be required to have a fire extinguisher on-site and an employee present at each event tasked with fire safety and maintenance.
2. A brush truck and ATV must be able to access the site. The field must be cut to the street to allow for fire and EMS access; documentation shall be provided to the fire official demonstrating sufficient access for fire and EMS personnel.
3. Any and all types of pyrotechnics are **prohibited**.
4. The Municipal Construction Official has stated that the use of an elevated dance floor will require permitting through the municipal construction office. (The applicant has stated that the dance floor will be ground level.)
5. The applicant must ensure compliance with any applicable Executive Orders in effect on the date of their event and should implement CDC guidance at their event.

RESOLUTION #22-117. Read by title.

Motion by Chait, seconded by Ruger to adopt Resolution #22-117.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-117

A RESOLUTION APPOINTING JEREMY HUNT AS LABORER IN THE PUBLIC WORKS DEPARTMENT

BE IT RESOLVED, on this 21st day of March, 2022 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that Jeremy Hunt be and is hereby appointed as Laborer in the Hopewell Township Public Works Department; and

BE IT FURTHER RESOLVED that Jeremy Hunt be compensated at an annual salary of \$43,699.18; and

BE IT FURTHER RESOLVED that this appointment is effective March 22, 2022.

RESOLUTION #22-118. Read by title.
Motion by Kuchinski, seconded by Chait to adopt Resolution #22-118.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-118

**A RESOLUTION APPOINTING NICHOLAS BREGENZER
AS LABORER IN THE PUBLIC WORKS DEPARTMENT**

BE IT RESOLVED, on this 21st day of March, 2022 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that Nicholas Bregenzer be and is hereby appointed as Laborer in the Hopewell Township Public Works Department; and
BE IT FURTHER RESOLVED that Nicholas Bregenzer be compensated at an annual salary of \$43,699.18; and
BE IT FURTHER RESOLVED that this appointment is effective March 22, 2022.

RESOLUTION #22-119. Read by title.
Motion by Ruger, seconded by Chait to adopt Resolution #22-119.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-119

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

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

WHEREAS, the Township of Hopewell has previously obtained a grant of \$6,205,000.00 from the State to fund the following project(s):

Project Number: 1106-97-091 - Hopewell Township Open Space Acquisitions

WHEREAS, the State and the Township of Hopewell intend to increase Green Acres funding by \$500,000.00; and

WHEREAS, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hopewell in the County of Mercer and State of New Jersey that:

1. The Mayor of the above named body is hereby authorized to execute an agreement and any amendment thereto with the State known as Hopewell Township Open Space Acquisitions; and
2. The applicant has its matching share of the project, if a match is required, in the amount of \$6,705,000.00.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and
4. The applicant agrees to comply with all applicable federal, state and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

RESOLUTION #22-120. Read by title.
Motion by Ruger, seconded by Chait to adopt Resolution #22-120.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-120

**A RESOLUTION AUTHORIZING THE FILING
OF A GRANT AGREEMENT FOR
A MUNICIPAL COMPREHENSIVE FARMLAND PRESERVATION PLAN**

WHEREAS, The Township of Hopewell, County of Mercer, State of New Jersey supports the grant agreement between the Township and the New Jersey State Agricultural Development Committee for the development and update of a Municipal Comprehensive Farmland Preservation Plan; and

WHEREAS, the grant agreement allows the Township to be reimbursed for up 50% of eligible costs for the development and update of the Comprehensive Farmland Preservation Plan; and

WHEREAS, this grant agreement has been prepared by the Hopewell Township Engineer.

NOW, THEREFORE, BE IT RESOLVED on this 21st day of March 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the Township Engineer is hereby authorized to execute said agreement and transmit said grant agreement to the New Jersey State Agricultural Development Committee.

RESOLUTION #22-121. Read by title.

Motion by Chait, seconded by Kuchinski to adopt Resolution #22-121.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-121

RESOLUTION OF THE TOWNSHIP OF HOPEWELL, COUNTY OF MERCER, STATE OF NEW JERSEY, REJECTING ALL BIDS FOR BITUMINOUS MATERIALS BID 22-01

WHEREAS there exists a need for bituminous materials for the daily operations of the Hopewell Township Department of Public Works; and

WHEREAS the Township publicly advertised and received three (3) bids in response to Bid # 22-01, opened on March 9, 2022 at 11:00 A.M.; and

WHEREAS, in accord with N.J.S.A. 40A:11-13.2(d) the governing body may reject all bids when specifications are to be revised; and

WHEREAS, there is a recognized need to revise specifications, prior to readvertising for bids.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the responses to Bid # 22-01 Bituminous Materials Bid by all vendors are hereby rejected in accord with N.J.S. 40A:11-13.2(d) are hereby rejected; and

BE IF FURTHER RESOLVED, the Business Administrator and Qualified Purchasing Agent are directed to revise specifications and procure responses in accord with the New Jersey Local Public Contracts Law.

RESOLUTION #22-122. Read by title.

Motion by Kuchinski, seconded by Chait to adopt Resolution #22-122.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-122

A RESOLUTION AUTHORIZING THE ISSUANCE OF A NEW PLENARY RETAIL DISTRIBUTION LICENSE

WHEREAS, there exists in the Township of Hopewell the authority to issue a new plenary retail distribution license for the sale of alcoholic beverages; and

WHEREAS, the Township Committee has determined to sell at a public sale one new plenary retail distribution license; and

WHEREAS, pursuant to N.J.S.A. 33:1-19.3, it is the desire of the Township of Hopewell to accept bids for said new license as required by law.

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

1. That the Township of Hopewell hereby determined that it will sell at public sale one new plenary retail distribution license for the sale of alcoholic beverages, in accordance with the procedures set forth in N.J.S.A. 33:1-19.3 et seq.

2. That the Township Clerk shall publish a notice of the proposed issuance of an alcoholic beverage license, indicating that applicants therefore will be accepted by the Township at the time, date and place specified in the notice, after which no further applications will be accepted.
3. That said notice shall be published in a newspaper circulating generally in the municipality at least two times, at least one week apart, the second of which shall be at least 30 days prior to the date of sale.
4. That the minimum bid price for the new alcoholic beverage distribution license shall be \$225,000.00.
5. That bids must be made upon the Proposal Form available in the Office of the Township Clerk. The name and address of the bidder shall appear on the outside of the sealed envelope. All bidders must be qualified to have an interest in a retail alcoholic license under the standards set forth in the Alcoholic Beverage Control Act, the Rules and Regulations promulgated thereunder, and any applicable municipal Alcoholic Beverage Control Ordinances.
6. That the bid must contain a deposit in the form of a certified check for 20% of the bid price. The highest bidder shall pay the balance of the bid to the Township Clerk in the form of cash or certified check within 72 hours of the adoption of a resolution accepting the highest qualified bid. In the event of a default or breach of promise by the successful bidder, all deposit monies shall be forfeited to the Township.
7. That the Township reserves the right to reject any and all bids if the highest bid is not accepted.
8. That the successful applicant must comply with all ordinances of the Township of Hopewell in locating the license
9. The sale may be postponed or canceled at any time prior to the opening of the bids.

RESOLUTION #22-123. Read by title.
 Motion by Chait, seconded by Ruger to adopt Resolution #22-123.

ROLL CALL VOTE:

AYES: Chait, Kuchinski, Ruger, Mayor Peters-Manning
NOES: None
ABSENT: Purandare

R E S O L U T I O N #22-123

2021 BUDGET TRANSFER RESOLUTION #6

BE IT RESOLVED on this 21st day of March 2022, by the Township Committee of the Township of Hopewell, County of Mercer and State of New Jersey, that transfers be made in the 2021 Budget appropriations as follows:

From:

Social Security O/E	<u>\$14,000.00</u>	
	Total	\$14,000.00

To:

Clerk O/E	<u>\$14,000.00</u>	
	Total	\$14,000.00

RESOLUTION #22-124. Read by title.
 Motion by Chait, seconded by Ruger to adopt Resolution #22-124.

ROLL CALL VOTE:

AYES: Chait, Kuchinski, Ruger, Mayor Peters-Manning
NOES: None
ABSENT: Purandare

R E S O L U T I O N #22-124
A RESOLUTION FOR AN
EMERGENCY TEMPORARY APPROPRIATION

IN THE ELSA SEWER UTILITY BUDGET

WHEREAS, an emergent condition has arisen with respect to the below listed items and no adequate provision has been made in the 2022 ELSA sewer utility temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2022 for the ELSA sewer utility pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$292,150.00

NOW, THEREFORE, BE IT RESOLVED, on this 21st day of March 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

- 1. An emergency temporary appropriation be and the same is hereby made for:

S&W	\$ 2,000.00
O&E	270,000.00
SS Benefits	<u>150.00</u>
Total	\$272,150.00

- 2. That said emergency temporary appropriation has been provided for in the 2022 budget under the title of:

As listed in 1 above

- 2. That one certified copy of this resolution be filed with the Director of Local Government Services.

RESOLUTION #22-125. Read by title.
Motion by Chait, seconded by Ruger to adopt Resolution #22-125.

ROLL CALL VOTE:

- AYES:** Chait, Kuchinski, Ruger, Mayor Peters-Manning
- NOES:** None
- ABSENT:** Purandare

**RESOLUTION #22-125
A RESOLUTION FOR AN
EMERGENCY TEMPORARY APPROPRIATION
IN THE SBRSA SEWER UTILITY BUDGET**

WHEREAS, an emergent condition has arisen with respect to the below listed items and no adequate provision has been made in the 2022 SBRSA sewer utility temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2022 for the SBRSA sewer utility pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$97,200.00.

NOW, THEREFORE, BE IT RESOLVED, on this 21st day of March 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

- 1. An emergency temporary appropriation be and the same is hereby made for:

SBRSA	
S&W	\$ 2,000.00
O&E	75,000.00
SS Benefits	<u>200.00</u>
Total	\$77,200.00

- 2. That said emergency temporary appropriation has been provided for in the 2022 budget under the title of:

As listed in 1 above

- 3. That one certified copy of this resolution be filed with the Director of Local Government Services.
-

RESOLUTION #22-126. Read by title.
 Motion by Ruger, seconded by Chait to adopt Resolution #22-126.

ROLL CALL VOTE:

AYES: Chait, Kuchinski, Ruger, Mayor Peters-Manning
NOES: None
ABSENT: Purandare

R E S O L U T I O N #22-126

**A RESOLUTION FOR AN
 EMERGENCY TEMPORARY APPROPRIATION
 IN THE WATER UTILITY BUDGET**

WHEREAS, an emergent condition has arisen with respect to the below listed items and no adequate provision has been made in the 2022 water utility temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2022 for the water utility pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$1,700.00.

NOW, THEREFORE, BE IT RESOLVED, on this 21st day of March 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for:

S/W	\$1,500.00
SS Benefits	200.00
Total	\$1,700.00

2. That said emergency temporary appropriation has been provided for in the 2022 budget under the title of:

As listed in 1 above

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

RESOLUTION #22-127. Read by title.
 Motion by Ruger, seconded by Kuchinski to adopt Resolution #22-127.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-127

**DEBT SERVICE MATURATION RESOLUTION
 (MATURING ON APRIL 1, 2022)**

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

WHEREAS, debt service payments will be due on April 1, 2022;

NOW, THEREFORE, BE IT RESOLVED on this 21st day of March 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following appropriations be made to cover the payments due April 1, 2022.

DEBT SERVICE – TOWNSHIP OF HOPEWELL 2015 BONDS

	Principal	Interest
Current Fund	\$430,000.00	\$68,405.00
Sewer Fund	45,000.00	7,702.50
2015 BOND TOTAL	\$475,000.00	\$76,107.50

DEBT SERVICE – TOWNSHIP OF HOPEWELL 2014 REFUNDING BONDS

	Principal	Interest
Current Fund	0.00	\$77,378.53
Sewer Fund	0.00	6,438.25
Water Fund	0.00	636.75
Open Space	0.00	36,046.47
2014 REFUNDING BOND TOTAL	\$0.00	\$120,500.00

RESOLUTIONS #22-128, #22-129 and #22-130. Read by title and voted on as one. Motion by Kuchinski, seconded by Chait to adopt Resolutions #22-128, #22-129 and #22-130.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-128

A RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND'S CYBER RISK MANAGEMENT PLAN'S TIER ONE REQUIREMENTS

WHEREAS, the Township of Hopewell is a member of the Mid Jersey Municipal JIF which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

WHEREAS, through its membership in the Mid Jersey Municipal JIF, Hopewell Township enjoys cyber liability insurance coverage to protect Hopewell Township from the potential devastating costs associated with a cyber-related claim; and

WHEREAS, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

WHEREAS, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1, Tier 2, and Tier 3 standards that if adopted and followed will reduce many of the risks associated with the use of technology by Hopewell Township; and

WHEREAS, in addition to the reduction of potential claims, implementing the following best practices and standards will enable Hopewell Township to claim a reimbursement of a paid insurance deductible in the event the member files a claim against Hopewell Township's cyber insurance policy, administered through the Mid Jersey Municipal JIF and the Municipal Excess Liability Joint Insurance Fund;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Hopewell does hereby adopt the following best practices and standards, a copy of which is attached hereto and incorporated herein by reference, in accordance with Tier 1 of the NJ MEL Cyber Risk Management Plan; and

**Information Backup
Security Patches and Updates
Defensive Software
Security Awareness Training**

**Password Management
Email Warning
Incident Response Plan
Technology Practice Policy
Government Cyber Membership**

BE IT FURTHER RESOLVED, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and approval.

R E S O L U T I O N #22-129

A RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND'S CYBER RISK MANAGEMENT PLAN'S TIER TWO REQUIREMENTS

WHEREAS, the Township of Hopewell is a member of the Mid Jersey Municipal JIF which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

WHEREAS, through its membership in the Mid Jersey Municipal JIF, Hopewell Township enjoys cyber liability insurance coverage to protect the Hopewell Township from the potential devastating costs associated with a cyber-related claim; and

WHEREAS, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

WHEREAS, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1, Tier 2, and Tier 3 standards that if adopted and followed will reduce many of the risks associated with the use of technology by the Township of Hopewell; and

WHEREAS, in addition to the reduction of potential claims, implementing the following best practices and standards will enable Hopewell Township to claim a reimbursement of a paid insurance deductible in the event the member files a claim against Township of Hopewell's cyber insurance policy, administered through the Mid Jersey Municipal JIF and the Municipal Excess Liability Joint Insurance Fund;

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Township of Hopewell does hereby adopt the following best practices and standards, a copy of which is attached hereto and incorporated herein by reference, in accordance with Tier 2 of the NJ MEL Cyber Risk Management Plan; and

Server Security
Access Privilege Controls
Technology Support
System and Event Logging
Protected Information

Remote Access - VPN
Leadership Expertise
IT Business Continuity Planning
Banking Controls

BE IT FURTHER RESOLVED, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and approval.

R E S O L U T I O N #22-130

A RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN COMPLIANCE WITH THE NEW JERSEY MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND'S CYBER RISK MANAGEMENT PLAN'S TIER THREE REQUIREMENTS

WHEREAS, the Township of Hopewell is a member of the Mid Jersey Municipal JIF which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

WHEREAS, through its membership in the Mid Jersey Municipal JIF, the Township of Hopewell enjoys cyber liability insurance coverage to protect the Township of Hopewell from the potential devastating costs associated with a cyber-related claim; and

WHEREAS, in an attempt to prevent as many cyber related claims as possible, the NJ MEL developed and released to its members the NJ MEL Cyber Risk Management Plan; and

WHEREAS, the NJ MEL Cyber Risk Management Plan outlines a set of best practices and standards broken out into Tier 1, Tier 2, and Tier 3 standards that if adopted and followed will reduce many of the risks associated with the use of technology by the Township of Hopewell; and

WHEREAS, in addition to the reduction of potential claims, implementing the following best practices and standards will enable the Township of Hopewell to claim a reimbursement of a paid insurance deductible in the event the member files a claim against Hopewell Township's cyber insurance policy, administered through the Mid Jersey Municipal JIF and the Municipal Excess Liability Joint Insurance Fund;

NOW, THEREFORE, BE IT RESOLVED that the Township of Hopewell does hereby adopt the following best practices and standards, a copy of which is attached hereto and incorporated herein by reference, in accordance with Tier 3 of the NJ MEL Cyber Risk Management Plan; and

Network Segmentation
 Password Integrity
 Third-Party Risk Management

Remote Access - MFA
 System and Event Logging Review

BE IT FURTHER RESOLVED, that a copy of this resolution along with all required checklists and correspondence be provided to the NJ MEL Underwriter for their consideration and approval.

RESOLUTION #22-131. Read by title.

Motion by Chait, seconded by Ruger to adopt Resolution #22-131.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-131

**RESOLUTION OF THE TOWNSHIP OF HOPEWELL, COUNTY OF MERCER,
STATE OF NEW JERSEY, REJECTING ALL PROPOSALS FOR COMPETITIVE
CONTRACT 22-02 IT CONSULTANT SUPPORT SERVICES**

WHEREAS there exists a need for IT Consultant Support Services for the daily operations of the Township of Hopewell; and

WHEREAS the Township publicly advertised and received five (5) competitive contract proposals in response to CC# 22-02, opened on February 23, 2022 at 9:00 A.M.; and

WHEREAS, in accord with N.J.S.A. 40A:11-13.2(d) the governing body may reject all bids when specifications are to be revised; and

WHEREAS, it is the desire of the governing body to revise specifications and not to exceed amounts in the procurement.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the responses to CC# 22-02 IT Consultant Support Services by all vendors are hereby rejected in accord with N.J.S. 40A:11-13.2(d) are hereby rejected; and

BE IF FURTHER RESOLVED, the Business Administrator and Qualified Purchasing Agent are directed to revise specifications and procure responses in accord with the New Jersey Local Public Contracts Law.

RESOLUTION #22-132. Read by title.

Motion by Kuchinski, seconded by Ruger to adopt Resolution #22-132.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-132

**A RESOLUTION FOR SUSTAINABLE NEW JERSEY
AND TREE CITY USA CERTIFICATIONS**

WHEREAS, the Township of Hopewell applied for participation in the Sustainable Jersey Municipal Certification Program in 2009; and

WHEREAS, in 2010, 2013, and 2017 was named as a Sustainable Jersey Bronze Certified Applicant; and

WHEREAS, in order to meet the criteria for Bronze status, the Township needed to implement a number of actions with the attempt of making Hopewell Township a truly sustainable community; and

WHEREAS, to achieve such status the Township took steps that included adopting the Sustainable Land Use Pledge which resolves to include principles in the master plan revision and reexamination report and to update the land use, zoning, natural resource protection and other ordinances accordingly; and

WHEREAS, the Township of Hopewell desires to take the necessary actions to maintain sustainability in the Township and strive to upgrade the Township's Sustainable New Jersey rating to Silver or Gold in 2023; and

WHEREAS, in 2017 Hopewell Township applied for and was named a 2017 Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management; and

WHEREAS, Hopewell Township achieved Tree City USA recognition by meeting the program's four requirements: a tree board or department, a tree care ordinance, an annual community forestry budget and an Arbor Day observance and Proclamation.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Hopewell directs the Green Team, Environmental Commission, and Community Development Department to work together to take appropriate actions to maintain and work to

elevate its Sustainable Jersey Certification and apply for recertification to Tree City USA sponsored by the Arbor Day Foundation in partnership with the U.S. Forest Service and the National Association of State Foresters.

RESOLUTION #22-133. Read by title.
 Motion by Chait, seconded by Ruger to adopt Resolution #22-133.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-133
A RESOLUTION AMENDING 2022
PROFESSIONAL SERVICES AGREEMENT

WHEREAS, the Township entered into a Professional Services Agreement with the firm noted below; and
WHEREAS, it is necessary to amend this agreement to change the amount and/or the term of the contract; and
WHEREAS, the Chief Financial Officer has certified that the funds will be available.

<u>FIRM</u>	<u>CURRENT MAXIMUM</u>	<u>PROPOSED MAXIMUM</u>	<u>CURRENT TERM EXPIRES</u>	<u>PROPOSED TERM EXPIRES</u>
Robert Yostemski (Municipal Prosecutor) 2-01-25-275-028	\$ 25,200.00	\$ 6,300.00	12/31/2022	No Change

NOW, THEREFORE, BE IT RESOLVED on this 21st day of March, 2022 by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the Professional Services Agreements be and are hereby amended.

RESOLUTION #22-134. Read by title.
 Motion by Chait, seconded by Ruger to adopt Resolution #22-134.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-134
A RESOLUTION AUTHORIZING
PROFESSIONAL SERVICES AGREEMENTS

WHEREAS, there exists a need for professional services for the following: Municipal Prosecutor; and Washington Crossing Estates Water Plan Upgrades; and
WHEREAS, the estimated cost of the contract is not to exceed \$18,900.00 (2-01-25-275-028) for Municipal Prosecutor Services; and \$5,000.00 (2-05-55-502-028) for Washington Crossing Estates Water Plan Upgrades; and funds will be available in the 2022 budget appropriations for this purpose certified by the local finance officer encumbered in the accounts referenced above; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hopewell, as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreements with:

- Martin Hillman, Esq. of the Firm JD Kaplan and Son for Municipal Prosecutor Services;
- Van Cleef Engineering Associates for Washington Crossing Estates Water Plan Upgrades

2. The contracts are awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5 (1)(a) as a

contract for services to be performed by persons authorized by law to practice recognized professions that are regulated by law and it is not possible to obtain competitive bids.

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

RESOLUTION #22-135. Read by title.
Motion by Ruger, seconded by Chait to adopt Resolution #22-135.

ROLL CALL VOTE:

AYES: Chait, Kuchinski, Ruger, Mayor Peters-Manning

NOES: None

ABSENT: Purandare

RESOLUTION #22-135

BILLS & CLAIMS

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment date March 21, 2022 in the following amounts:

Bills and Claims	\$	8,487,660.86
Payroll	\$	348,006.60
Total Disbursements	\$	8,962,236.50

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

FUTURE AGENDA ITEMS – AS LISTED ON THE TOWNSHIP WEBSITE ON THE CLERK’S PAGE.

PUBLIC SECTION

The following members of the public spoke during public comment:

Jon Edwards questioned if there would be a change to the first public comment section rules; requested that meetings be held at 7:00 p.m.; made certain comments about West Windsor; opined about when he was Mayor; questioned if the Township has ever been previously sued by another municipality; and questioned how to “sign up” for Senior services.

John Hart expressed his dissatisfaction with the PILOT program; questioned why market rate homes were being built before affordable housing units; questioned why the homes are being built so far away from the sewer service; expressed his concern over the schools being overpopulated due to the increased housing; and questioned what the Township’s plan is for the property across the street from the Municipal Building.

Harvey Lester spoke in favor of meetings being held at 7:00 p.m.

Darielle Pasquito, a resident of Washington Crossing-Pennington Road, announced that the Township is her landlord; made statements about the conditions of the property she rents; and requested an extension of time to vacate the property she rents.

The detailed public comment may be viewed at www.hopewelltpw.org in the video library.

EXECUTIVE SESSION RESOLUTION. Read into the record.
Mayor Peters-Manning stated that the regular meeting may reconvene following the Executive Session.

Motion by Chait, seconded by Ruger to go to Executive Session to discuss contract negotiations, real estate, legal and personnel matters.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-136

EXECUTIVE SESSION RESOLUTION

WHEREAS, it is necessary for the Township Committee to discuss contract negotiations, real estate, legal, and/or personnel matters; and

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

WHEREAS, the Township Committee wishes to discuss the following:

- Pending Litigation
- Contract Negotiations
- Personnel

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 21st day of March, 2022 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 8:12 p.m. the Executive Session was held.

At 9:24 p.m. the Regular meeting reconvened.

At 9:24 p.m., motion by Ruger, seconded by Chait to adjourn the meeting.

MOTION UNANIMOUSLY CARRIED

The detailed public meeting may be viewed at www.hopewelltpw.org in the video library.

KATHERINE FENTON-NEWMAN
DEPUTY MUNICIPAL CLERK