

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

Monday, April 11, 2022 – 6:11 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 April 7, 2022, 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: Uma Purandare, Michael Ruger, Mayor Courtney Peters-Manning

Kevin Kuchinski arrived at 6:19 p.m.

ABSENT: David Chait

STAFF PRESENT: Administrator/Public Works Director George Snyder, Municipal Clerk Laurie Gompf, CFO Julie Troutman

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

RESOLUTION #22-138. Read by title.

Motion by Purandare, seconded by Ruger to adopt Resolution #22-138.

ABSENT: Chait, Kuchinski

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #21-138

**RESOLUTION APPROVING DEVELOPER'S
CONSTRUCTION AGREEMENT BETWEEN THE
TOWNSHIP OF HOPEWELL AND
BEIGENE HOPEWELL URBAN RENEWAL, LLC
(BLOCK 46, LOT 8.011, 311 PENNINGTON-ROCKY HILL ROAD)**

BE IT RESOLVED, on this 11th day of April 2022, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That the DEVELOPER'S CONSTRUCTION AGREEMENT between the Township of Hopewell and BeiGene Hopewell Urban Renewal, LLC, which is annexed to and made a part of this Resolution be and is hereby approved.

2. That the Mayor and Municipal Clerk be and are hereby authorized to execute said Developer's Construction Agreement between the Township of Hopewell and BeiGene Hopewell Urban Renewal, LLC.

RESOLUTION #22-139. Read by title.

Motion by Purandare, seconded by Ruger to adopt Resolution #22-139.

ABSENT: Chait, Kuchinski

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #22-139

**A RESOLUTION REESTABLISHING THE
HOPEWELL TOWNSHIP COMMITTEE
RULES OF PROCEDURE**

BE IT RESOLVED, on this 11th day of April, 2022, by the Township Committee of the Township of Hopewell, County of Mercer, New Jersey, that meetings of the Hopewell Township Committee, as provided for in Chapter II. "Administration," Section 2-1.6 of the Revised General Ordinances of the Township of Hopewell, New Jersey shall be conducted in the following manner:

1. **Quorum.** The majority of the whole number of the members of the Township Committee shall constitute a quorum and no ordinance shall be adopted by the Township Committee without the affirmative vote of a majority of the quorum of the Township Committee.
2. **Order of Agenda.** The Township Committee agenda shall have the following order of business:
 - A. Call meeting to order and statement of proper notice by mayor;
 - B. Roll call by municipal clerk;
 - C. Pledge of allegiance and salute to the flag;
 - D. Review and approval of minutes;
 - E. Additional items for meeting agenda (by vote of a majority of the quorum);
 - F. Committee member and staff reports;
 - G. Comments from members of the public; (The public will have an opportunity to sign up in advance on the Hopewell Township website or at the Clerk's Office regarding any topic(s) that he/she wishes to discuss during the public portion. The sign ups must be completed by 4 p.m. on the day of the meeting. The Township Committee always welcomes public comments during the public portion, even without advance sign ups.);
 - H. Ordinance final hearings, public hearings and adoption;
 - I. Ordinance introduction and first reading;
 - J. Consent agenda (contains items of a routine nature, which are approved by a single vote);
 - K. Resolutions;
 - L. Future agenda items (members of the Township Committee may suggest future agenda items at this time; members of the public may do so in accordance with Sec. 2-1.6(a) of the Township Code);
 - M. Work session (comments from the audience usually not permitted);
 - N. Additional comments from the audience (if time permits);
 - O. Executive session resolutions (if necessary) for items that may be discussed in closed session as defined by the New Jersey Open Public Meetings Act);
 - P. Adjournment ideally by 9:00 p.m., but not later than 10:00 p.m.
3. **Conduct of Township Committee Meetings.**
 - A. The mayor shall be the presiding officer of the meeting. In the absence of the mayor, the deputy mayor shall be the presiding officer. In the absence of the mayor and deputy mayor, the next most senior member of Township Committee shall be the presiding officer. The presiding officer may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members of the Township Committee and shall not be deprived of any rights or privileges of a Township Committee member by reason of acting as a presiding officer.
 - B. Every member of the Township Committee or public desiring to speak shall address the chair and, upon recognition by the presiding officer, shall confine him or herself to the question under discussion.
 - C. A member of the Township Committee, once recognized, shall not be interrupted when speaking unless it be to call him or her to order, or as herein otherwise provided. If a member of the Township Committee, while speaking, is called to order, he or she shall cease speaking until the question of order is determined. If the member is in order, he or she shall be permitted to proceed. The presiding officer may limit the length of comments made by any member of Township Committee.
 - D. A member of the Township Committee moving the adoption of an ordinance or resolution shall have the privilege of closing debate.
 - E. The clerk shall enter into the minutes a synopsis of the discussion about any question coming before the Township Committee.

- F. A member of the Township Committee may request, through the presiding officer, the privilege of having an abstract of his or her statement on any subject under consideration by the Township Committee entered into the meeting minutes.
 - G. A motion to adjourn shall always be in order and shall be decided without debate.
 - H. Any matter not covered by these by-laws or other relevant laws shall be governed by the latest edition of Roberts Rules of Order. The Roberts Rules of Order shall be utilized, if necessary, by the Township Committee and shall not be invoked by members of the public.
 - I. On a roll call vote, the Township Committee shall vote alphabetically with the presiding officer voting last. During the course of a vote on a given matter, each member of Township Committee shall be permitted to succinctly set forth on the public record his or her position prior to casting his or her vote. In allowing these comments before a committee person votes, the presiding officer shall allow for the aforementioned comments, even if said comments will express a minority view on a given issue.
 - J. When recognizing members of the public wishing to speak on matters on the Township Committee agenda or items not listed on said agenda, the following procedures shall be followed: Upon recognition by the chair, a person wishing to address the Township Committee shall proceed to the floor and give his or her name and address in an audible tone of voice for the record. The presiding officer may, if necessary, because of the number of persons wishing to address the Township Committee, limit the making of a statement to three minutes per speaker. Statements shall be addressed to the Township Committee as a body and not to any individual member of the Township Committee. A member of the Township Committee shall not direct any question to a speaker addressing the committee except through the presiding officer. All comments made during this public forum by persons from the floor and responses through the presiding officer by the Township Committee shall at all times be civil and courteous. In accordance with Section 2-1.6(a) of the Township Code, the presiding officer may, where the subject matter so requires, designate another member of the Township Committee to respond on behalf of said committee to comments made by the public on a given issue. The other members of Township Committee, however, through the presiding officer, shall also be given an opportunity to respond.
 - K. Public comment shall be limited to three minutes for each member of the public, which limit may be waived for good cause at the discretion of the presiding officer.
 - L. If a committee member abstains from voting, the abstention shall be recorded in the minutes but the abstention shall not be counted as either a “yes” or a “no” vote.
 - M. Disclosure of Interest. A member who has a personal or private interest in any question or measure proposed or pending before the committee, which interest might constitute a conflict contrary to the Local Government Ethics Law, N.J.S.A. 40A:9-22.1, shall disclose such interest and refrain from deliberating and voting. In the alternative, the member may request a ruling from the Attorney as to whether the member should participate in such matter.
 - N. Meetings of the Township Committee may be conducted in person, through electronic communications technology, or both, consistent with State law and the meeting’s official notice.
4. **Sergeant at Arms.** The presiding officer may request that the chief of police or police director designate a police officer to serve as a sergeant at arms at Township Committee meetings. He or she shall carry out all of the orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the Township Committee meetings and it shall be his or her duty to escort any person who violates the order and decorum of the meeting from Township hall.
 5. **Parliamentarian.** The Township Attorney shall be the parliamentarian for the Township Committee meeting in order to rule upon questions associated with compliance with these by-laws, other relevant laws and rules of order as requested by the presiding officer.
 6. **Email Communications.**
 - A. Township Committee members should use Township-provided email addresses when conducting township business by email.

- B. No Township business shall be discussed by committee members in any email communication involving an effective majority of the Township Committee.
- C. In the event the administrator, attorney or clerk sends an email simultaneously to all members of the Township Committee, committee members shall not copy an effective majority of the township committee on any response to the original email.

7. Liaisons; Communications with Outside Groups; Communications with Employees.

- A. Township Committee members serving as liaisons to Township and outside groups shall at a minimum provide a channel for communications between those groups and the Township Committee and provide assistance and expertise for collaborative endeavors. The liaison may not authorize any agreement or the expenditure of Township funds.
- B. No member of the Township Committee shall appear or speak on behalf of the Township Committee without the authorization of the township committee which will, if possible, be given two (2) weeks in advance of the appearance or speech.
- C. When a committee member meets with a person or outside agency on behalf of the committee, the committee member shall report back to the committee at the first opportunity. If the committee member is meeting in his/her personal capacity, there is no requirement to report to the committee as a whole.
- D. The Township Committee shall deal with administrative departments and employees through the Township Administrator, or in the absence of the Township Administrator, the Township Administrator's designee. Nothing herein shall limit the ability of a liaison to communicate with the head of the department to which he or she is liaison. A liaison shall not exercise supervisory authority over any Township employee.

8. Correspondence.

Correspondence addressed to the Township Committee that is received by the clerk or administrator shall be distributed to the entire committee in a timely manner. Correspondence addressed to an individual committee member shall be distributed to that committee member.

9. Miscellaneous.

- A. If a member of the Township Committee knows he or she will not be available for a Township Committee meeting, said member shall notify the municipal clerk at least 48 hours or as soon as practicable prior to the Township Committee meeting.
- B. No member of the Township Committee shall discuss or disseminate any information made available to the Township Committee on a confidential basis. This shall include not disclosing any information discussed by the Township Committee during the course of the Township Committee closed or executive session.
- C. Committee members may be polled by the Administrator or Attorney by means of "communication equipment" (telephone, email, etc.) in order to achieve a consensus on an issue which cannot await formal action on a Township Committee agenda. This practice shall be utilized infrequently and the issue on which a consensus was reached shall be placed for formal action on the next available Township Committee agenda.
- D. All members of the Township Committee shall adhere to the provisions of the New Jersey Code of Ethics for local government officers attached hereto as Exhibit A and made a part hereof.
- E. All members of the Township Committee shall adhere to the provisions of the Hopewell Township Pay-to-Play Ordinance, a copy of which is attached hereto as Exhibit B and made a part hereof.
- F. All members of the Township Committee shall adhere to the non-discrimination resolution set forth in Resolution #16-350.

2022 MUNICIPAL BUDGET DISCUSSION

Ms. Troutman began the review of the Water Utility Budget by explaining that the water utility revenue is based on rent of the users, not based on tax; that there is interest on deposits for the interest held in the bank accounts for the water utilities; that there are some funds that come from

the current fund that supports a debt service portion of the water utility; and that those revenues, combined with surplus, will balance this budget.

She then reviewed the salary and wage line item explaining that due to a break at the water utility, overtime has already been incurred this year, therefore there was a need to increase the overtime budget in the utility. Ms. Troutman also reviewed the postage and printing line item, explaining that the Tax Collector prints and sends out the bills for the utility.

Committee Member Kuchinski arrived at 6:19 p.m.

Ms. Troutman reviewed the statutory payments such as debt service, salaries and wages, and pension payments. She then reviewed the revenue needed to balance the utility. Committee members discussed the surplus amount that will be generated; questioned the long-term plan for the utility; discussed past issues with the utility; and considered preventative measures.

Ms. Troutman presented the operating budget; explained the impact of medical benefits and pension payments on expenses; and discussed the in-cap budget and the out-of-cap budget. While discussing the out-of-cap budget, FEMA funding for Hurricane Ida was discussed. She explained that once the FEMA funding comes in, it will be placed in surplus; then reviewed grants in the out-of-cap budget; and discussed the reserve for uncollected taxes.

Ms. Troutman clarified that when budgeting for revenue, you cannot budget more revenue than you realized the year before; that the fees and permits line item realized more revenue than the year before; urged that less should be budgeted this year in fees and permits for the health department because it was felt that the high income of fees last year was an anomaly. Committee Member Kuchinski added that Court fees are lower due to statutory changes and that it would be prudent to budget fees lower due to that; and that investment fees are also lower and felt it would be prudent to budget lower in that area. Discussion then turned to leasing space on the cell tower.

Ms. Troutman explained that PILOT money reflected in the budget was from the Hopewell Gardens and Project Freedom PILOTs combined. Discussion ensued regarding the settlements on the existing PILOTs and the when the revisions can be expected to begin as a result of those settlements. State aid, interlocal service agreements, the DOT grant, franchise fees, previous year reimbursements, American Rescue Plan funds, and equalizing debt service were also reviewed. It was announced that delinquent taxes collected exceeded the previous year and that those revenues will be placed into surplus. Committee Member Kuchinski announced that the Township will be utilizing less surplus this year than in previous years. Ms. Troutman announced that this year's levy will be below the 2% cap and that the assessed value of the Township has risen.

Committee Member Kuchinski advised that he and Ms. Troutman will work to introduce the budget at the Committee Meeting of April 18; that this is a statutory review year; that it will be approximately four weeks between introduction and the public hearing of the budget; that the public hearing will be subject to the State's review of the budget; and that ideally the public hearing will be on May 16.

Committee Member Kuchinski announced that the major goals are to continue to reduce debt service; remove Pennytown from the Township's books; and continue to work on non-tax revenues.

PUBLIC SECTION

The following members of the public spoke during public comment:

Harvey Lester, a resident of Continental Lane, made certain comments regarding the Washington Crossing Estates water utility and asserted the utility was not failing.

Jon Edwards, a resident of Pennington Harbourton Road, urged the Committee to meet with the residents of Washington Crossing Estates; questioned the changes to the meeting policies; expressed his disapproval that the public could not comment on the resolutions before they were considered; and questioned the status of the litigation by Pennington and Hopewell Boroughs.

Melanie Philips, a resident of Washington Crossing-Pennington Road, expressed her disapproval of the last minute change to the agenda.

The detailed public comment may be viewed at www.hopewelltp.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 Ruger, seconded by Purandare 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 #22-140

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:

- Contract Negotiations
 - Bargaining Units
- 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 11th day of April, 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 7:19 p.m. the Executive Session was held.

At 7:34 p.m. the Regular meeting reconvened.

At 7:34 p.m., motion by Kuchinski, seconded by Purandare to adjourn the meeting.

MOTION UNANIMOUSLY CARRIED

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

LAURIE E. GOMPF
MUNICIPAL CLERK