

MINUTES
HOPEWELL TOWNSHIP COMMITTEE
REGULAR MONTHLY MEETING
February 28, 2019

Approved
03/07/2019

Flag Salute

Sunshine Statement:

In compliance with the 'Open Public Meetings Act' this meeting was duly advertised by a notice to The Daily Journal and the South Jersey Times, sent on January 5, 2019. A notice was placed on the Municipal Office bulletin board as of the same date.

Roll Call: Township Committee: Facemyer, Freitag, Ritter, Shoemaker, Hankins;

Others: Ted Ritter (Deputy Solicitor), John Hitchner (Acting Clerk), Neil Young (CFO), Mike Garcia (Auditor), Rebecca Bertram (Conflict solicitor), Jeff Shimp (Resident)

***Budget Workshop** – *Mike Garcia and Neil Young went over the budget with the Township Committee. Special attention was given to the Fire Department's budget. It was decided to increase it to accommodate for some large purchases in the next 2 years. After adjustments, it is determined that we are still under our cap. It is believed that the rate will go up 2.2 cents or \$22 per every \$100,000 of assessed value. Mike Garcia states he will get John Hitchner the ordinances and advertisements so the budget can be introduced on March 7th.*

It is discussed to pass a new sewer rate ordinance at the next meeting. It is determined that the ordinance can wait until near August.

Neil Young goes over the Township's current purchasing policy and suggests that we formalize something in writing, especially for cases of emergency.

***Approval of Minutes**

A motion was made by Mrs. Freitag to approve the minutes of 02/07/2019 Regular Committee Meeting. The motion was seconded by Mr. Facemyer and approved 5-0.

***Department and Committee Reports**

Administrator/Clerk:

- John Hitchner has started the Introduction to Municipal Clerk's Classes in Bordentown on Saturdays. The classes are 5 weeks.
- The Township had a workman's comp audit from our insurance carrier. We had no problems.
- The clerk's office received quotes for a new computer for the future administrator. It was decided to allow the new employee to determine the specifics of the new computer once they start.

Assessor:

- See attached report for Usable and Non Usable Sales.

Dog Registrar:

- 153 licenses have been issued as of February 26, 2019

Economic Development Committee:

- The Economic Development Committee began a conversation about the cannabis industry in Hopewell Township including discussions over dispensaries, medical alternative treatment centers, and farming. The Committee requested information from Shiloh, Bridgeton, and Millville on the topic and will discuss further at our next meeting.
- Next meeting is 4/08/2019.

Hopewell/Stow Creek Fire Company:

- No news from the Fire Co.

Tax & Sewer Collector:

- January 2019 Cash Book Report (\$596,630.28 tax incl. interest and \$79,817.00 sewer incl. interest).

A motion was made by Mr. Shoemaker to accept the Department & Committee Report as presented. The motion was seconded by Mr. Ritter and approved 5-0.

***Approval of bills:** Total Bills **\$565,257.55** (including payroll) on Treasurers February 28, 2019 prepared list

A motion was made by Mr. Ritter to approve the bills as presented. The motion was seconded by Mr. Facemyer and approved 5-0.

***Treasurer’s Report**

The treasurer’s report was submitted by the CFO for approval. A motion was made by Mr. Facemyer and seconded by Mr. Ritter to approve the treasurer’s report. Motion carries 5-0.

PUBLIC COMMENTS: *Please stand, state your name and the municipality in which you live for the record, and in five (5) minutes or less briefly state your comments to the Township Committee. The Township Committee will allow for a total of 30 minutes for all public comments. (Ord. 18-01 Adopted 1/18/18)*

Mr. Ritter made a motion to open to the public. Motion is seconded by Mr. Facemyer and approved 5-0.

Being no members of the public wished to speak, a motion was made by Mr. Facemyer to close the public comment portion. Motion was seconded by Mr. Ritter and approved 5-0.

Resolution 19-20: Resolution authorizing the electronic tax sale program

**TOWNSHIP OF HOPEWELL
COUNTY OF CUMBERLAND**

Resolution 19-20

Resolution Authorizing Electronic Tax Sale Program

WHEREAS, N.J.S.A. 54:5-19.1 authorizes tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for electronic tax sales; and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/Real Auction.com to conduct electronic tax sales; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, the municipality of the Township of Hopewell in the County of Cumberland, wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the Hopewell Township Committee, County of Cumberland and State of New Jersey, that the Tax Collector is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of Local Government Services.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Bruce R. Hankins			X			
Paul Ritter III			X			
Greg Facemyer			X			
Robin Freitag	X		X			
Joseph Shoemaker		X	X			

Mrs. Freitag makes a motion to approve the resolution. Motion is seconded by Mr. Shoemaker and approved 5-0.

Resolution 19-21: Resolution concluding the tax appeal at the Manor

**HOPEWELL TOWNSHIP
CUMBERLAND COUNTY
RESOLUTION 19-21**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEAL – LTC MGMT, LLC – BLOCK 75, LOT 7
154 SUNNY SLOPE DRIVE – YEARS 2016-2021**

WHEREAS, LTC MGMT, LLC (hereinafter “LTC”) is the owner of certain property located in Hopewell Township, Cumberland County (hereinafter “Hopewell”) and identified on the tax maps thereof as Block 75, Lot 7, also known as 154 Sunny Slope Drive; and

WHEREAS, LTC filed appeals to the Tax Court of New Jersey for said premises for tax years 2013, 2014, 2015, 2016, 2017 and 2018; and

WHEREAS, LTC and Hopewell previously resolved the 2013, 2014, and 2015 appeals; and

WHEREAS, LTC and Hopewell have engaged in settlement negotiations regarding the remaining appeals; and

WHEREAS, LTC has agreed to withdraw the appeals filed for tax years 2016, 2017 and 2018 in exchange for certain agreed upon assessments for tax years 2019, 2020 and 2021; and

WHEREAS, LTC has requested withdrawal of the 2016, 2017, and 2018 Complaints with the Tax Court; and

WHEREAS, the Tax Court entered a Judgment of dismissal under each docket number, 1024-2016, 1977-2017, and 951-2018, on February 15, 2019; and

WHEREAS, the Township Tax Assessor, Lois Mazza, CTA, and Township expert witness Richard Carabelli, MAI have each been consulted by Township Solicitor Matthew Ritter, Esq. with respect to said settlement, and both have concurred; and

WHEREAS, the parties agree that the property’s 2019 total assessment shall be \$5,900,000.00 and further agree that either party shall have the right to file a tax appeal for the 2019 tax year to obtain a judgment to implement, enforce, and/or confirm the \$5,900,000.00 assessment agreed upon herein. This agreement shall be binding upon any assignees, tenants, and successors in interest with regard to the subject property. The parties understand that the provisions set forth in this paragraph regarding the 2019 assessment shall not be reflected in the Tax Court Judgment;

WHEREAS, the parties agree that the property’s 2020 total assessment shall be \$5,900,000.00 and further agree that either party shall have the right to file a tax appeal for the 2020 tax year to obtain a judgment to implement, enforce, and/or confirm the \$5,900,000.00 assessment agreed upon herein. This agreement shall be binding upon any assignees, tenants, and successors in interest with regard to the subject property. The parties understand that the provisions set forth in this paragraph regarding the 2020 assessment shall not be reflected in the Tax Court Judgment;

WHEREAS, the parties agree that the property’s 2021 total assessment shall be \$9,250,000 times the 2021 ratio, and further agree that either party shall have the right to file a tax appeal for the 2021 tax year to obtain a judgment to implement, enforce, and/or confirm the foregoing assessment agreed upon herein. This agreement shall be binding upon any assignees, tenants, and successors in interest with regard to the subject property. The parties understand that the provisions set forth in this paragraph regarding the 2021 assessment shall not be reflected in the Tax Court Judgment; and

WHEREAS, the agreements in the aforesaid three paragraphs are specifically contingent upon the following conditions which are integral parts of the agreement:

- A. Prior to October 1 of each said pre-tax year for 2019, 2020, and/or 2021, there has been “no change in value” of the property (as that phrase has been defined and interpreted by the Courts pursuant to the Freeze Act, such as, by way of example, assessable additions or improvements to, substantial damage to, demolition of, and/or casualty to the property); and
- B. Hopewell’s Tax Assessor will be authorized, pursuant to her independent Constitutional obligations, to impose any required omitted and/or added assessments for tax years 2019, 2020 and/or 2021, if warranted by any buildings or other structures which have been “erected, added to or improved” as that phrase has been defined and interpreted by the Courts pursuant to NJSA 54:4-63.1 *et. seq.*, NJSA 54:4-63.12 and NJSA 54:4-63.31 and if the Assessor does so, that the taxpayer may, only in that event, appeal those omitted and/or added assessments.

NOW THEREFORE BE IT RESOLVED, on this 28th day of February, 2019 by the Township Committee of the Township of Hopewell, County of Cumberland, State of New Jersey, that the settlement in this matter as set forth herein above be and the same approved, and the Township Attorney and Township Tax Assessor are hereby authorized and directed to affect said settlement.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Bruce R. Hankins			X			
Paul Ritter III	X		X			

Greg Facemyer			X			
Robin Freitag			X			
Joseph Shoemaker		X	X			

A motion was made to approve the resolution by Mr. Ritter. Motion was seconded by Mr. Shoemaker and approved 5-0.

***Discussion Items**

Item #1 – Discussion about a short term rental ordinance provided by Rebecca Bertram
Rebecca Bertram addresses the Committee. She states there are various ways the Committee could approach this and she was looking for some insight as to the Committee’s intentions. They can’t have an ordinance targeting a single block and lot. Rebecca reviews the draft ordinance with the Committee. It is brought up that there might need to be fire code inspections for larger events. There is also discussion about having a special event permit and limiting by number of occupants.

Having discussed the topic, Mr. Facemyer made a motion to table until later. Motion was seconded by Mr. Ritter and approved 5-0.

Item #2 – Discussion about charity bike event through Hopewell.

It is determined that the bike route was along all county roads. The Committee did not object to the benefit. A motion was made by Mr. Facemyer to approve. Motion was seconded by Mr. Ritter and approved 5-0.

Item #3 - Approve a roadside cleanup for Girl Scouts Troop 54120

Item #4 – Approve a roadside cleanup for Girl Scouts Troop 51004

A motion was made by Mrs. Freitag to approve both roadside cleanups. Motion was seconded by Mr. Ritter and approved 5-0.

Item #5 – Discussion about open tax liens

There is some discussion about the open tax liens in the Township. Mr. Facemyer makes a motion to table until they have had more of a chance to review the properties. Motion is seconded by Mr. Ritter and approved 5-0.

Item #6 – Discussion of County Equalization Tables from Board of Taxation

The Committee discussed the table and how our number had improved but were still below 100 ratio.

Solicitor’s Report

Ted states that Jeff Shimp signed the lease for the Hendricks House tract.

Ted shows the Committee a recent partial survey for Bostwick Lake.

ADJOURN

There being no additional business, the meeting was adjourned at 7:45 pm on a motion by Mr. Shoemaker, seconded by Mr. Facemyer. Motion passes 5-0.

NEXT SCHEDULED MEETING: March 7, 2019 @ 5:00 pm

John Hitchner, Acting Clerk

cc: Committee,
Township Bulletin Bd.,
Sol. Matthew Ritter
Sol. T. H. Ritter