

MINUTES
HOPEWELL TOWNSHIP COMMITTEE
REGULAR MONTHLY MEETING
August 17, 2017

Approved
9/12/17

Flag Salute

Sunshine Statement:

In compliance with the 'Open Public Meetings Act' this meeting was duly advertised by a notice to The Daily Journal, sent on January 6, 2017. A notice was placed on the Municipal Office bulletin board as of the same date.

Roll Call: Township Committee: Hankins, Freitag, Facemyer, Ritter, Shoemaker; Others: Lois Yarrington, Clerk/Administrator, Dylan Wulderk, Deputy Admin., Matt Ritter & Ted Ritter- Solicitors, Kenny Mayhew, Dave Schoch, Joe Zirkle-HSCFD, Kevin & Patricia Springer, Hopewell Auto.

A motion was made by Mr. Facemyer to approve the minutes from the 7/27/17 Regular Meeting and Closed Session. The motion was seconded by Mrs. Freitag and approved 5-0.

***DEPARTMENT & COMMITTEE REPORTS**

Administrator/Clerk:

- Bid opening for the Senior Center Parking Lot Expansion is scheduled for August 24th at 10am.
- Interviews were held for the Public Works On Call Part Time Laborer.
- I contacted RCL about solar at the Senior Center. In area where the Center is located Atlantic City electric has shut down the section of the grid to new Solar installations. A half mile down Route 49 to the east and it would be available. RCL said that if the grid opens up, they will be in touch with us.

Assessor:

- Professional Property Appraisers has requested that we submit a letter of recommendation for them based on our recent revaluation. A draft letter is in your packet along with sales for this year showing sale price and assessed value.

Bostwick Lake Commission (Facemyer):

- Hunting regulations for the lake.

Code Enforcement:

- Citation was issued to Safeguard property management regarding 35 Valentine Lane for the condition of the yard and securing the house.

Construction:

- 20 new permits processed for a total of \$5,460.00 (July)

Dog Registrar:

- 404 licenses have been issued as of August 17, 2017

Economic Development Committee:

- Dylan will provide a report
- Hopewell Day Planning
- *Sponsorships received-\$3,500 additional \$4,000 has been pledged*
- *The Green Olive would like to participate in the Beer Tasting*
- *Balic Winery is interested in participating for the Wine Tasting*
- *The same DJ from last year is booked and will emcee the day's events again.*

Environmental Commission:

- The next meeting will be on September 6th.

Hopewell/Stow Creek Fire Company:

- Woodruff Energy's quote for the hot water heater is \$2,400.00.

Land Use Board (Planning/ Zoning): (Shoemaker/Ritter):

- The meeting scheduled for August 16, 2017 was canceled. The next meeting is scheduled for September 20th.
- July 2017 Zoning Report \$45.00

Public Works/Road: (Shoemaker):

- Deltronics repaired the Kennedy Drive Pump Station.
- Tractor & Side Arm Mower are ordered.

Tax & Sewer Collector:

- July 2017 Cash Book Report (\$227,047.75 tax incl. interest and \$33,664.70 sewer incl. interest).

Senior Center: (Freitag):

- Jean's report is in your packet.
- *The Center will be closed for summer maintenance from August 21st-September 4th. There will be 4 new programs/activities beginning in the fall.*

***Approval of bills:** Total Bills **\$550,929.77** (including Hankins Bill & payroll) on Treasurers 8/13/17 prepared list

Treasurer's Report

A motion was made by Mr. Facemyer to accept the Treasurer's Report dated 6/11/2017 as presented. The motion was seconded by Mr. Ritter and approved 5-0.

PUBLIC COMMENTS AND QUESTIONS:

OLD BUSINESS:

- **COAH:** (Shoemaker)
 - 7/11/2016 Decision of Superior Court Appellate Division Overturms Affordable Housing Ruling Meaning "Gap Years' Won't Count in Requirements.
 - 1/18/17 Supreme Court Decision

NEW BUSINESS:

Ordinances

Introduction

Ordinance 17-13-An Ordinance Establishing Restrictions for Hunting at Bostwick Lake *2nd Reading and Public Hearing will be held on Tuesday September 12, 2017.*

TOWNSHIP OF HOPEWELL

Ordinance 17-13

ORDINANCE PROHIBITING HUNTING AT BOSTWICK LAKE

WHEREAS, the Township of Hopewell, in Cumberland County, New Jersey, is a part owner of the Bostwick Lake Recreation Area, pursuant to a Deed dated September 28, 1967 from the Frank Stewart Trust; and

WHEREAS, the Township of Hopewell has received numerous complaints from Township residents and property owners near Bostwick Lake regarding hunting at the Recreation Area; and

WHEREAS, the Township of Hopewell is aware that hunters have been known to violate Ordinance ____, which established the hours during which Bostwick Lake is open to the Public; and

WHEREAS, the Hopewell Township Committee is in receipt of Resolution #17-01 of the Bostwick Lake Commission, by which the Commission requests that the Township Committees of Upper Deerfield and Hopewell each adopt identical Ordinances prohibiting hunting at Bostwick Lake; and

WHEREAS, the Hopewell Township Committee is aware that the Bostwick Lake Commission came to the foregoing conclusion after receiving persuasive testimony from Conservation Officer Tracy Stites; and

WHEREAS, the Hopewell Township Committee is in agreement with the Bostwick Lake Commission that, in balancing the interests of hunters and those who enjoy non-hunting activities at Bostwick Lake, while taking into account the many other opportunities for hunting in an around Cumberland County, as well as the relatively small size of the Bostwick Lake Recreation Area, hunting cannot safely coexist with other forms of recreation at Bostwick Lake;

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

1. Hunting or taking of game or wildlife into or upon the Bostwick Lake Recreation Area grounds and facilities is hereby prohibited. This does not apply to fishing.
2. Discharging of any firearm or bow of any description into or upon the Bostwick Lake Recreation Area grounds and facilities is hereby prohibited.
3. No person or persons may attempt to drive wildlife out of any portion of the Bostwick Lake Recreation Area into a legal hunting area.
4. Any person in violation of this Ordinance shall be subject to a fine for a first offense of not less than \$100 nor more than \$1,000.00 and for each subsequent offense a fine of not less than \$500 nor more than \$1,000.00.

BE IT FURTHER ORDAINED This Ordinance shall take effect upon publication of its adoption in the Township official newspaper.

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

Public Hearing & 2nd Reading

Ordinance 17-12- An Ordinance Establishing the Hours of Operation and a Vehicle Parking Set Back Minimum Respecting Auto Repair Garages in the Highway Commercial Business (HCB) Zone

**TOWNSHIP OF HOPEWELL
CUMBERLAND COUNTY, NJ**

ORDINANCE 17-12

AN ORDINANCE ESTABLISHING THE HOURS OF OPERATION AND A VEHICLE PARKING SET BACK MINIMUM RESPECTING AUTO REPAIR GARAGES IN THE HIGHWAY COMMERCIAL BUSINESS (HCB) ZONE

WHEREAS, there exists in the Hopewell Township Highway Commercial Business HCB Zone, several auto repair garage facilities; and;

WHEREAS, the current HCB Zone was previously a residential zone; and

WHEREAS, there are many existing residential uses in the HCB Zone; and

WHEREAS, the noise associated with off-hour auto repair activities can be disturbing to nearby residential uses in the HCB Zone; and

WHEREAS, a vehicle parking minimum set backs will aid visibility and thereby improve the safety of ingress and egress; and

WHEREAS, it is the desire of the Township Committee to impose reasonable regulations so that the auto repair garages and residential uses can co-exist in the HCB Zone without either unduly interfering with the other;

NOW, THEREFORE, BE IT RESOLVED that the following regulations are hereby imposed

1. A business which qualifies as a “garage-repair”, as defined in the Hopewell Development Ordinance, in section III, at page 6 shall be subject to the regulations herein set forth.

a. “Motor vehicle maintenance” includes the addition of fluids, wiper blade replacement, flat tire repair, and/or replacement, electrical charging and similar activities are subject to the regulations herein.

b. “Motor vehicle repairs” includes: air conditioning, starting service, brake repair and replacement, oil changes, and fluid replacement, exhaust system repair and replacement, automotive electrical work, shock absorber, spring and strut work, upholstery work, tire balancing, tire installation, wheel alignment, windshield and glass installation, tune up, diagnostics; emission control service, sound system installation, auto body work, sunroof installation, sheet metal, fiber glass or plastic repair, replacement, preparing or painting, media blasting, chassis or frame work, straightening or welding, transmission and/or engine repair and/or replacement work and similar activities are all likewise subject to the regulations contained in this Ordinance.

2. Automobile car washes are not intended to be regulated under this ordinance.

3. No motor vehicle maintenance, repair or service work shall be performed before 7:00 a.m. nor after 7:00 p.m. in the HCB Zone.

4. There shall be no parking of vehicles at an auto repair and/or maintenance garage facility, located in the HCB Zone, closer than thirty (30) feet to the edge of the paved shoulder of State Highway 49 nor closer than five (5) feet to any side yard lot line, which is not effectively screened, with an evergreen, vegetative buffer that is at least 72 inches in height

5. **VIOLATIONS:**

a. The penalty for violating this ordinance shall be \$100.00 fine for a first offense.

b. The fine for a second or subsequent offense shall be \$1,000.00.

	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			

Resolutions

***Resolution 17-60**-Canceling Property Taxes for Disabled Veteran B 80 L25

HOPEWELL TOWNSHIP

Resolution 17-60

RESOLUTION TO CANCEL TAXES DUE WHEN PROPERTY IS CLASSIFIED EXEMPT

WHEREAS, The Tax Collector and the Tax Assessor have certified to the Mayor and Township Committee, that the property owner, Brendan Brattlie, 311 Sheppard’s Mill Road, located in Hopewell Township, has been approved by the Veteran’s Administration as a 100% totally and permanently disabled veteran; and

WHEREAS, as of August 1· 2016, his property, Block 80 Lot 25, is classified as an exempt property, however taxes due still exist in the tax records.

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Hopewell, County of Cumberland, that the Tax Collector is hereby authorized to cancel these property tax balances for the 1st, 2nd, 3rd and 4th Quarters of 2017 totaling \$4,779.08 These amounts will be listed individually and shown in the last column on the 2017 year end reports dated December 31, 2017 as per file.

	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			

***Resolution 17-61**-Petty Cash Custodian

HOPEWELL TOWNSHIP

RESOLUTION 17-61

A RESOLUTION CHANGING PETTY CASH CUSTODIAN

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund and the appointment of a custodian for the same; and

WHEREAS, it is the desire of The Township of Hopewell, County of Cumberland and State of New Jersey that the Hopewell Township petty cash custodian is hereby named to be the current Hopewell Township Clerk & Administrator, Lois A. Yarrington.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Hopewell Township, County of Cumberland hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

	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			

***Resolution 17-62-** Emergency Repair for Sewer Pump Station at Kennedy Drive

**HOPEWELL TOWNSHIP
CUMBERLAND COUNTY**

Resolution 17-62

RESOLUTION DECLARING THE EXISTENCE OF AN EMERGENCY REQUIRING THE REPLACEMENT OF THE BUBBLER SYSTEM AT THE KENNEDY DRIVE PUMP STATION

WHEREAS, the Administrator for the Township of Hopewell has been advised that the Bubbler System at the Kennedy Drive Pump Station is failing and is beyond reasonable repair; and

WHEREAS, without a properly functioning Bubbler System the pump station cannot operate properly thereby proposing an imminent danger to the health and welfare of Hopewell Township residents; and

WHEREAS, pursuant to N.J.A.C. 5:34-6.1, the need for goods and services necessary to repair or replace the failing bubbler system could not have been reasonably foreseen and/or the need for such goods or services has arisen notwithstanding a good faith effort on the part of the Township to plan for the purchase of those goods or services required by the contracting unit; and

WHEREAS, pursuant to 40A:11-6, any contract may be negotiated or awarded for a contracting unit without public advertising for bids and bidding therefore, notwithstanding that the contract will not exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or performance of services; and

WHEREAS, in the opinion of the Township Committee of the Township of Hopewell, the lack of a fully functioning bubbler system at the Kennedy Drive pump station constitutes such an emergency situation; and

WHEREAS, the Township's Administrator has solicited and received a quote of \$6,238 to provide an install a new MPE Controller and Wika Transducer system with back up float system to replace the obsolete bubbler system currently operating the pump station,

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Hopewell hereby declare this situation an emergency and directs Lois Yarrington, the Township's Administrator, to take all steps necessary under existing law to repair or replace the failing bubbler system at the Kennedy Drive pump station with a working one, including approving issuance of a purchase order for the same in an amount not to exceed \$6,238.

This Resolution shall take effect immediately, according to law.

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

***Resolution 17-63-** Hiring On Call Part Time Public Works Laborer

**HOPEWELL TOWNSHIP
RESOLUTION 17-63**

WHEREAS, the Hopewell Township Public Works Department has the need for an On Call Part Time Laborer for coverage during vacations and other time when additional assistance may be needed; and

WHEREAS, Hopewell Township advertised and interviewed 3 candidates; and

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

Mr. Ryan Hitchner, is hereby hired as an On Call Part Time Public Works Laborer commencing on August 18, 2017.

	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			

Discussion Item #1- Request from HSCFD for Assistance in Purchasing a Pick Up Truck. Kenny Mayhew will be present. *Dave Schoch presented the reasons for the need for a utility pick up truck for the Department. When members are attending to an accident scene, their gear may come into contact with bodily fluids. The gear is then bagged and placed in the cab of the truck. If the bag should tear, the fluids would then contaminate the inside of the cab. The truck would be required to be out of service until properly cleaned and sanitized. Also, when members attend training, they are using their own personal vehicles and placing the gear which is contaminated with cancer causing carcinogens into their own vehicles. The truck could also be used for transportation to training. He asked that the truck be purchased as soon as possible but understood if it had to wait until next year for budget purposes. The Clerk/Administrator suggested applying for a grant, he did not want to put off purchasing the truck since he didn't feel that they would be eligible for a grant for a small amount since an almost \$800,000 truck had just been purchased. The Township Grantsman will be contacted to see what is available. Mr. Facemyer told him that it would not be possible to purchase in this year's budget.*

Discussion Item #2- Stray Cats, High Shelter Fees *The Clerk/Administrator presented information regarding the TNVR program which is Trap, Neuter, Vaccinate and Release as a way to reduce the shelter costs. She will schedule a presentation by Animal Friends Foundation in Vineland for the next meeting.*

Discussion Item #3- Farm Land Lease-Payment has not been received. *A motion was made by Mr. Facemyer to terminate the lease agreement with 90 days notice as required in the agreement and to authorize Solicitor Ritter to send the Lessee notification. The motion was seconded by Mr. Ritter and approved 5-0.*

Discussion Item #4-Request from the Soroptomist club for use of the Senior Center for one night in September and one night in October. *A motion was made by Mr. Ritter to approve the request. The motion was seconded by Mr. Facemyer and approved 5-0.*

Discussion Item #5-NJ DOT Roadway & Bikeway grant applications are due in October. *Mr. Shoemaker suggested taking a ride with the Township Engineer to inspect the roads and decided which roads need to be repaired or repaved. The Clerk/Administrator will contact Mr. Nardelli.*

CDC: (Hankins)

Correspondence & Notes-CCUA Draft Agenda 8/17/17 Meeting **NJDEP** Know the Bear Facts-Black Bears in NJ

Solicitor's Report

Executive Session-Resolution 17-64 Acquisition of Real Property-Proposals for Appraisals @ 7:43pm

**Hopewell Township
Executive Session
Resolution 17-64**

WHEREAS, Section 8 of the Open Public Meetings Act, (N.J.S.A. 10:4-12 (b) (1-9), Chapter 231, P.L. 1975, permits the exclusion of the Public from a meeting under certain circumstances; and

WHEREAS, the Township Committee of the Township of Hopewell is of the opinion that such circumstances do exist;

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is **Real Property-Property Appraisal Proposals;**
3. The Township Committee may take official action on the items discussed in Executive Session upon completion of the executive session.
4. The minutes of the discussion shall be made available to the public as soon as the matters under discussion are no longer of a confidential or sensitive nature.
5. This resolution shall take effect immediately.

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

A motion was made by Mr. Facemyer to return to open session at 7:53 pm. The motion was seconded by Mr. Ritter and approved 5-0.

A motion was made by Mr. Facemyer to contract with Kay & Associates for the amount of \$3,000 for the appraisals of the properties in the business park. The motion was seconded by Mr. Ritter and approved 5-0.

ADJOURN

There being no additional business, a motion was made by Mr. Facemyer to adjourn at 7:54 pm. The motion was seconded by Mrs. Freitag and approved by a unanimous vote of the Committee members present.

NEXT SCHEDULED MEETING: TUESDAY September 12, 2017 @ 6:30 pm

Lois A. Yarrington, Township Clerk
cc: Committee,
Sol. T. H. Ritter, Sol. Matthew Ritter