

**HOPEWELL TOWNSHIP COMMITTEE
MINUTES OF THE REGULAR MONTHLY MEETING**

February 13, 2014

Flag Salute

Sunshine Statement:

In compliance with the 'Open Public Meetings Act' this meeting was duly advertised by a notice to the South Jersey Times and The Press, sent on January 7, 2014. A notice was placed on the Municipal Office bulletin board as of the same date.

Officials Present: Hankins, Facemyer, Freitag, Shoemaker. Others Present: Solicitor T. Henry Ritter, Clerk Eugene Daddario, Treasurer Lois Buttner. Others: Planning Board Member Alfred Caggiano, Jr.

Shoemaker, seconded by Freitag, moved for **Approval of Minutes** of 1/23/14 Regular Meeting. Approved 4-0

Facemyer, seconded by Shoemaker, moved to approve the **Treasurers Report** of 2/13/14 as submitted. Approved 4-0. A Public Hearing for the 2014 Budget was scheduled for Thursday, March 13 at 5:00 pm.

DEPARTMENT & COMMITTEE REPORTS:

Assessor submitted current Accumulative Useable and Non Usable Sales Reports. **Clerk** received yearly checks from Comcast (\$10,730.54) and Verizon (\$9,605.47) for 2013 municipal rights of way. **Construction Department** submitted 2013 Inspections Report, 2013 Report of Permit Fees and the January 2014 Permit Report. **Convenience Center:** The Cumberland County Improvement Authority forwarded Single Stream Recycling Flyers for distribution. **Economic Development:** BACC / CDC Business Meeting and Training Session, held at West Cumberland Senior Center Thursday, January 30, was very successful with approximately 50 in attendance. **Fire Department** requested name change patches on 10 turnout gear jackets purchased from the Shiloh Fire Department.

Shoemaker, seconded by Facemyer, moved to approve the **name change on 10 turnout gear jackets** (\$100.00 each) subject to approval by the Stow Creek Township Committee. Approved 4-0

Zoning Board submitted the January 2014 Zoning Permit Report. **Public Works/Road:** The department has addressed the Office of Public Employees' Occupational Safety and Health Notice of Order to Comply, issued January 2, 2014. All violations were abated and approved at the February 7th follow-up inspection.

Quotes were received to repair the clutch on the Kubota tractor: Roork's Farm Supply, Inc.(\$5,788.17), Farm-Rite Inc. (\$5,631.31).

Shoemaker, seconded by Facemyer, moved to authorize Farm-Rite, Inc. to do the needed repairs on the **Kubota** tractor. Approved 4-0

Tax & Sewer Collector submitted the January 2014 Cash Book Report (\$655,752.64 incl. interest and \$55,751.59 sewer). **Senior Center:** Director, Jill Sheppard submitted her weekly update (January 27-30)

A bill list dated 2/13/14 prepared by Treasurer Buttner was provided. Facemyer, seconded by Freitag, motion for **Approval of bills** totaling **\$935,221.67** on the prepared list (Including Payroll/Less Hankins Bill) was approved 4-0.

Facemyer, seconded by Freitag, moved for **Approval of Hankins Bill** (\$209.51). Approved 3-0 (Hankins Abstain)

The Mayor asked if there were any questions or comments and opened the meeting to **PUBLIC COMMENTS**. There being no public comment, at 7:22pm, Shoemaker, seconded by Freitag, moved the meeting to **Old Business**.

OLD BUSINESS:

Bostwick Lake: The new agreement between Hopewell Township and Upper Deerfield Township has been signed and sealed by both Township Committees. 2014 Meeting Dates have been set (May 21, August 20, November 19, Reorganization Meeting - January 21, 2015).

Cumberland/Salem Regional Municipal Court submitted 2013 Financial Reports and the 2014 Anticipated Budget. A refund for 2013 was issued to Hopewell Township in the amount of \$478.76.

Sidewalk Project: Grant Completion Options are being discussed with the NJ Department of Community Affairs. There is approximately \$22,000.00 remaining in approved funds. The first option complements the existing sidewalk with amenities (benches, tables, shelters, etc.). The second option provides more sidewalk to connect to the grounds of the adjacent Amish Market. The third option involves purchasing equipment for maintenance of the sidewalk, such as snow removal, etc.

NEW BUSINESS

The following resolutions were approved:

HOPEWELL TOWNSHIP RESOLUTION No. 14-20 Resolution Approving the Release of Executive Session Minutes 2008 thru 2013

WHEREAS, The Hopewell Township Clerk has reviewed all the Executive Session Minutes for the years 2008 through 2013 and recommends the release of said minutes that no longer pertain to confidential matters, and

WHEREAS, The Township Clerk has identified the following list of Executive Session Minutes to be retained as “closed” dealing with, confidential personnel matters and active litigations:

07/08/2010, 08/12/2010(2nd session), 09/05/2013,09/19/2013,10/10/2013,11/21/2013

NOW, THEREFORE, BE IT RESOLVED By the Hopewell Township Committee of Cumberland County and State of New Jersey that all 2008 thru 2013 Executive Session Minutes will be available for release with the exception of the minute dates as listed above.

Motion by: Facemyer
Aye: Hankins, Facemyer, Freitag, Shoemaker
Absent : Ritter

Second by: Freitag
Nay: None
Abstain: None

RESOLUTION No.14-21 RESOLUTION RESPECTING FORMER CAR WASH AT HALTER HOPEWELL SHOPPING CENTER

WHEREAS, there exist, on Block 51, Lot 15, the former Jake Halter Hopewell Shopping Center Self Service Car Wash improvements, and;

WHEREAS, the former car wash structure has been the frequent site of vandalism, graffiti and other ongoing illegal activity, and;

WHEREAS, the current property owner, Reeves Road Properties, LLC, has offered to incur the expense of demolishing the former car wash structure, but the owner is concerned with the obligation to pay real property taxes on this structure for the balance of the calendar year following the physical demolition, and;

WHEREAS, the Hopewell Township Committee, in consultation with the Bridgeton Barracks Commander of New Jersey State Police has determined that demolition of the structure will be of benefit to the neighborhood and to law enforcement in Hopewell Township, and;

WHEREAS, it is in the public interest to encourage and incentivize the soonest possible demolition of the former car wash building, and;

WHEREAS, the Township Committee determines that it is in the interests of justice to waive the payment of the property taxes on the car wash improvements following their demolition.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hopewell, in County of Cumberland, State of New Jersey that the payment of real property taxes on the former car wash improvements, located on Block 51, Lot 15, which improvements are assessed at a value of \$26,300, shall be waived, for the second, third, and fourth quarters of 2014, provided that the demolition of such improvements, including removal of the demolition debris, and restoration of the ground, has been completed, not later than March 31, 2014, to the reasonable satisfaction of the Hopewell Township Construction Official.

Motion: Facemyer
Aye: Hankins, Facemyer, Freitag, Shoemaker
Absent: Ritter

Second: Freitag
Nay: None
Abstain: None

At 7:39 pm Shoemaker, seconded by Facemyer, moved to open the **Public Hearing of Ordinance No. 14-01**: Amending Ordinance No. 12-08 Treatment of Animals.
(Approved 4-0)

There being no public comment, at 7:40 pm Shoemaker, seconded by Freitag, moved to close the Public Hearing. (Approved 4-0)

The following ordinance was approved for final adoption:

**HOPEWELL TOWNSHIP
ORDINANCE No. 14-01**

BE IT ORDAINED by the Township Committee of the Township of Hopewell, County of Cumberland, and State of New Jersey, that the Animal Treatment Ordinance of the Township of Hopewell 12-08 is hereby amended and supplemented as follows:

Section 1 is hereby Amended and Supplemented as follows:

SECTION 1. Treatment of Animals:

- A. Definitions.
 - (1) "Collar" means any collar constructed of nylon, leather, or similar material, specifically designed to be used for a dog.
 - (2) "Extreme weather conditions" means unusual, severe, or unseasonal weather, such as excessive heat or cold, wind, rain, snow and/or ice.
 - (3) "Owner" means a person or proprietor of a property who owns or has custody or control of a dog.
 - (4) "Properly fitted" means, with respect to a collar, a collar that measures the circumference of a dog's neck plus at least one inch
 - (5) "Restraint" means a chain, rope, tether, leash, cable, or other device that attaches a dog to a stationary object or trolley system.
 - (6) "Vacant residential structure" means a residential structure that has not been occupied for seven (7) or more consecutive days.

- B. Unlawful Restraint of Dog.
 - (1) through (3) No change.

- C. General Treatment and Providing of Sustenance.
No person shall:
 - (1) through (4) No change.

- D. Prohibition of tethering of dog outside vacant structure.
 - (1) No person shall cause or permit any dog, cat, or domesticated animal to be kept outdoors at any vacant residential structure.

- E. Penalties.
 - (1) through (4) No change.

Motion: Shoemaker

Second: Freitag

Roll Call Vote:

Hankins: Aye Facemyer: Aye Freitag: Aye Ritter: Absent Shoemaker: Aye

At 7:42 pm Facemyer, seconded by Shoemaker, moved to open the **Public Hearing of Ordinance No. 14-02**: Amending Ordinance No. 04-06 Development Ordinance.
(Approved 4-0)

There being no public comment, at 7:43 pm Facemyer, seconded by Shoemaker, moved to close the Public Hearing. (Approved 4-0)

The following ordinance was approved for final adoption:

**HOPEWELL TOWNSHIP
ORDINANCE No. 14-02**

AN ORDINANCE repealing ordinances #05-05 and #05-06, thereby amending the Hopewell Township Development Ordinance, #04-06

BE IT ORDAINED by the Township Committee of the Township of Hopewell, County of Cumberland, and State of New Jersey, that the Development Ordinance of the Township of Hopewell is hereby amended and supplemented as follows:

1. Section 4.27, Affordable Housing Production Based Upon “Growth Share” is hereby REPEALED.
2. Section 4.28, Affordable Housing Developer Fee, is hereby REPEALED.

These Amendments and Supplements to the Hopewell Township Development Ordinance shall take effect immediately upon posting, publication, and final passage in the manner prescribed by law.

Motion: Facemyer

Second: Shoemaker

Roll Call Vote:

Hankins: Aye Facemyer: Aye Freitag: Aye Ritter: Absent Shoemaker: Aye

Freitag, seconded by Facemyer, moved to approve a **Clean Communities Application** submitted by the Boy Scouts of America for one Clean-up Date. (Approved 4-0).

Freitag, seconded by Facemyer, moved to approve a **Clean Communities Application** submitted by ASAP (Andrea Bianco) for one Clean-up Date. (Approved 4-0).

Freitag, seconded by Facemyer, moved to offer the **West Cumberland Senior Center Director** position, at 20 hours per week, to **Tracey Nardelli**, to start on February 10.
Approved 4-0

Facemyer, seconded by Freitag, moved to approve **James C. Bruce** as a substitute for the Hopewell/Geenwich Convenience Center to start on February 15.
Approved 4-0

Shoemaker, seconded by Facemyer, moved to support **The American Littoral Society Grant Application** for buffer restoration of 3000 square feet along Barretts Run Creek.
Approved 4-0

CORRESPONDENCE & NOTES & FILINGS include: **NJ Department of Health** notice urging NJ residents to test their homes for radon, **NJ Department of Environmental Protection** Notice of Agricultural Water Use Application (Sunny Slope Farms), **Cumberland County Department of Health** application for food service denial (Hopewell Sunoco), Cesspool Regulations Notification (203 Minches Corner Road), **GovConnect** New Items, **NJLM** February *Mayor's Newsline*, Declaration of State of Emergency Order 147.

Solicitor's Report: T. Henry Ritter noted that in reference to Garrison v. Hopewell Twp. Zoning Board of Adjustment, et al., the Honorable Anne McDonnell, P.J.Ch., has vacated the use variance that was granted to Kurt Grasso on December 6, 2012 for the property located at 327 Shiloh Road.

T. Henry Ritter also informed the Committee that on February 19th, a letter was sent to Kristi Izzo, Secretary, New Jersey Board of Public Utilities, containing comments of Hopewell Township to the proposed Stipulation of Agreement between Board Staff and Verizon NJ relating to alternate plan for regulation (“PAR-2”) and Verizon’s compliance with Opportunity New Jersey (“ONJ). Copies were distributed to the Committee.

Solicitor Matthew Ritter met with former Upper Deerfield Solicitor, Theodore Baker, regarding proper procedure for designation of the Hopewell Township Business Park as a “Redevelopment District”. An outline of New Jersey Redevelopment Law has been drafted and will be forwarded to Township Committee and Economic Development Committee members.

There being no further business, Facemyer, seconded by Freitag, motion to **ADJOURN** was approved by all. Mayor Hankins adjourned the meeting at 8:02 pm.

NEXT SCHEDULED MEETING: March 13, 2014

Eugene Daddario, Municipal Clerk
cc:
Committee,
Township Bulletin Bd.,
Sol. T. H. Ritter, Sol. Matthew Ritter