

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

Monday, March 27, 2006 - 7:10 p.m.

PROPER STATEMENT OF NOTICE - Mayor Sandom 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 and The Times (the official newspapers) on January 5, 2006 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: Iorio, Murphy, Niederer, Sandahl, Mayor Sandom

ABSENT: None

STAFF PRESENT: Administrator Hilling, Township Attorney Goodell, Municipal Clerk Bielawski, CFO Borges

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

Mayor Sandom announced that scheduled presentations by the D & R Greenway and the Fire District No. 1 would be postponed to a scheduled meeting in April.

PUBLIC SECTION

Richard Fletcher, a resident of Orchard Avenue, commented on a proposal for the opening of Plymouth Street out to Denow Road and closing off the end of Orchard Avenue, as an option for safety and access improvements to Route 31. He expressed his opinion that the vote of the residents should not be the deciding factor, but that the Township Engineer and NJDOT should determine what is safest for everyone.

APPROVAL OF MINUTES

Motion by Murphy, seconded by Niederer to approve the Minutes of the Regular Meeting of August 8, 2005 as submitted. **MOTION UNANIMOUSLY CARRIED**

Motion by Niederer, seconded by Iorio to approve the Minutes of the Regular and Executive Session Meetings of August 22, 2005 as submitted.
MOTION UNANIMOUSLY CARRIED

ADDITIONAL ITEMS FOR MEETING AGENDA

Motion was made by Murphy, seconded by Sandahl to add a Resolution to the scheduled agenda to appoint Samantha Mochel as Clerical Assistant for the Administration Office.
MOTION UNANIMOUSLY CARRIED

COMMITTEE MEMBERS AND STAFF REPORTS

Committee Member Niederer announced that there are two vacancies on the township's Historic

Preservation Commission and she solicited interested volunteers. She reported that members of the Historic Preservation Commission are working on nominations for six additional properties for historic designation. Committee Member Niederer announced that the first of four DARE graduations would be held tomorrow evening at the Bear Tavern Elementary School and fifth grade students would receive certificates of achievement for completion of the DARE Program.

Committee Member Murphy reported on Recreation Department programs and that tickets were on sale for a Bill Cosby concert. He noted that summer day camps will be offered and that the spring/summer brochures would be mailed shortly to Hopewell Valley residents. Committee Member Murphy announced that the New Jersey Recreation and Parks Association recently awarded the Agency Showcase Award to the Recreation Advisory Committee and Recreation Director Michael Hritz for their work on the Hopewell Valley Guide to Parks and Recreation brochure, and a plaque was displayed.

Committee Member Murphy commented on the recent tax litigation, and settlement agreement that was approved by the Township Committee on March 6, 2006. He reviewed the complaint filed by the township in Tax Court against the New Jersey Division of Taxation over the assessed-to-true value ratio for certain property in Hopewell Township. Committee Member Murphy further reviewed the settlement discussions held with Hopewell and Pennington Boroughs including such issues as interlocal police agreements and contribution to the Recreation Department. Committee members further commented on the settlement process and the final settlement negotiations.

Mayor Sandom recognized township resident Shiela Beyer. Ms. Beyer expressed her opinion that such settlement discussion should be open to the public.

Committee Member Sandahl reported on the Finance Committee and that subsequent budget hearings will be scheduled. Committee Member Sandahl announced that the township's Planning Board has scheduled a special meeting on April 11, 2006 to discuss the draft Growth Share Ordinance and an application from the Stony Brook Millstone Watershed Association to construct a segment of the Lawrence-Hopewell Trail along its property. He noted that a presentation and public hearing on the Lawrence-Hopewell Trail by the New Jersey Department of Transportation would be held on March 29, 2006 at 6:30 p.m. at the municipal building. Committee Member Sandahl announced that Dr. Sidney Wong from the University of Pennsylvania would present the results of his Development Fiscal Impact Study on April 3, 2006, at 7:30 p.m. following the Township Committee's scheduled agenda meeting.

Committee Member Iorio reported on a meeting of the Youth Advisory Board and a presentation of the Lawrence-Hopewell Trail by Committee Member Sandahl and Mr. Pogorzelski. Committee Member Iorio also reported on meetings of the Business Alliance Partnership. He further reported on the Open Space Advisory Committee meeting and that the main topic of discussion was the Martin Tract. Also, the Agricultural Advisory Committee met on March 7, 2006 to discuss Planning Incentive Grant (PIG) applications.

Mr. Hilling reported that the township would solicit bids to demolish buildings on the Else property. He also reported on meetings with the Senior Advisory Committee and discussion on the Senior Advisory Coordinator position. Mr. Hilling announced that June 2, 2006 will be Hopewell Valley Night at Waterfront Park.

Mr. Goodell reported on the status of the rezoning litigation and four active cases involving sewer issues.

Ms. Borges reported on the status of the 2005 Township Audit.

Committee Member Iorio raised the issue of the budget and the reserve for litigation or appeals for revaluation. Ms. Borges replied that it was the recommendation of the auditors to establish a surplus reserve.

Mayor Sandom announced that NJDOT would hold a public meeting on April 6, 2006 from 4:00 p.m. to 7:00 p.m. in the Historic Train Station in Hopewell Borough with regard to plans for proposed bridge replacements on Van Dyke Road and Greenwood Avenue.

PUBLIC SECTION

William Schoelwer, a resident of Westcott Boulevard, commented on proposed no left turns on

Crest and Orchard Avenues. He also questioned an article in a local newspaper regarding the 2006/2007 school district budget and its impact on taxpayers of the three municipalities.

ORDINANCE - FINAL READING, PUBLIC HEARING AND ADOPTION

Mayor Sandom read by title the introduced ordinance:

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS OF THE TOWNSHIP OF HOPEWELL, IN
THE COUNTY OF MERCER, NEW JERSEY,
APPROPRIATING THE AGGREGATE AMOUNT OF
\$2,843,502 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$2,701,327 BONDS OR NOTES OF THE
TOWNSHIP TO FINANCE PART OF THE COST THEREOF.**

Mayor Sandom declared the public hearing open. No comments from the public.
Motion by Sandahl, seconded by Niederer to close public hearing.

MOTION UNANIMOUSLY CARRIED

Motion by Murphy, seconded by Iorio to adopt the introduced ordinance.

ROLL CALL VOTE:

AYES: Iorio, Murphy, Niederer, Sandahl, Mayor Sandom

NOES: None

ORDINANCE ADOPTED

Ordinance advertised March 16, 2006 Hopewell Valley News. Posted on municipal bulletin board as required by law.

ORDINANCE NO. 06-1370

**BOND ORDINANCE PROVIDING FOR VARIOUS
CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF
HOPEWELL, IN THE COUNTY OF MERCER,
NEW JERSEY, APPROPRIATING THE AGGREGATE
AMOUNT OF \$2,843,502 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$2,701,327
BONDS OR NOTES OF THE TOWNSHIP 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. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Hopewell, in the County of Mercer, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, 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 \$2,843,502, including a \$160,000 grant expected to be received from the State of New Jersey Department of Transportation (the "NJDOT Grant"), and further including the aggregate sum of \$142,175 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 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and in anticipation of the NJDOT Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,701,327 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 3. 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 and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) <u>Vehicles</u> : Acquisition of various vehicles, including a four wheel drive, a dump truck and a bulk waste truck, including all related costs and expenditures incidental thereto.	<u>\$230,000</u>	<u>\$218,500</u>	5 years
b) <u>Roads</u> : Various road improvements, including Blackwell Road overlay ¹ , the 2006 Road Maintenance Program, chip seal and permitting in connection with the construction of a new road, including all work and materials necessary therefor and incidental thereto.	<u>\$2,116,508</u>	<u>\$2,010,683</u>	10 years
¹ Includes \$160,000 NJDOT Grant			
c) <u>Equipment</u> Acquisition of a rubber tire front end loader, including all related costs and expenditures incidental thereto.	<u>\$160,000</u>	<u>\$152,000</u>	5 years
Acquisition of three radars and a live scan fingerprint system, including all related costs and expenditures incidental thereto.	<u>\$32,000</u>	<u>\$30,400</u>	15 years
TOTAL:	<u>\$192,000</u>	<u>\$182,400</u>	
d) <u>Buildings</u> : Various improvements, including sally port doors of the Police Building, downspouts and generator upgrades for the Administration Building, a trench drain for the Public Works garage, Municipal Site soil remediation, wetlands survey at Else Tract and Skate Park completion, including all related costs and expenditures incidental thereto, and further including all work and materials necessary therefor and incidental thereto.	<u>\$304,994</u>	<u>\$289,744</u>	15 years
GRAND TOTAL:	<u>\$2,843,502</u>	<u>\$2,701,327</u>	

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.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The 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 notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the

Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the 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 notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. 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 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 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited 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 9.90 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 \$2,701,327, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$309,183 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. 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 ARule@) 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 9. 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 real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

CONSENT AGENDA ITEMS

RESOLUTIONS #06-107 THROUGH #06-111 AND RAFFLES APPLICATION RA: 4-06.
Read by title.

Committee Member Niederer asked that Consent Agenda Item C, A Resolution Adopting

Personnel Policies and Procedures Manual, be removed from the Consent Agenda.

Motion by Sandahl, seconded by Murphy to adopt Resolutions #06-107 through #06-111 and Raffles Application RA: 4-06.

MOTION UNANIMOUSLY CARRIED

RESOLUTION #06-107

**A RESOLUTION AUTHORIZING REFUNDS
FOR HOPEWELL VALLEY RECREATION
DEPARTMENT PROGRAM PARTICIPANTS**

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

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

NOW, THEREFORE, BE IT RESOLVED on this 27th day of March 2006, 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:

Dee Wilson	2560 Pennington Road, Pennington, NJ 08534	\$ 45.00
Frances Sculley	25 Stanford Road East, Pennington, NJ 08534	\$ 25.00
Ellen Cunningham	18 Stanford Road East, Pennington, NJ 08534	\$ 25.00

RESOLUTION #06-108

**A RESOLUTION AUTHORIZING
REFUNDS FROM HOPEWELL TOWNSHIP
PLANNING TRUST ACCOUNTS**

BE IT RESOLVED, on this 27th day of March 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the individuals and/or corporations so specified below be refunded the account balance shown as their respective Planning Board or Zoning Board of Adjustment applications have been finalized:

<u>A/C#</u>	<u>NAME</u>	<u>AMOUNT</u>
BR060A	John and Mary Brown 179 Rolling Hill Road Skillman, NJ 08558 72/3.02 - Mj, P/F VarC	\$ 39.00
HI040	J. Robert Hillier 500 Alexander Park Princeton, NJ 08543 15/9 - Concept	\$ 1,461.00
PR040B	Richard and Michelle Preston 318 Hopewell Amwell Road Hopewell, NJ 08525 8/42.02 - Site, P/F, CU	\$ 623.10
SA040	St. Michael's Orphan Asylum 701 Lawrenceville Road Trenton, NJ 08648 16/4 - Mn	\$ 931.26
	TOTAL	\$ 3,054.36

RESOLUTION #06-109

**A RESOLUTION AUTHORIZING REFUNDS FOR
OVERPAYMENT OF 2005 TAXES PLUS 5% INTEREST
DUE TO SUCCESSFUL COUNTY TAX BOARD APPEALS**

BE IT RESOLVED, on this 27th day of March 2006, Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the following individuals and/or corporations be refunded the amounts shown as refunds of 2006 taxes due to successful county tax appeals.

BLOCK	LOT	REFUND TO	AMOUNT
15	2.18	Lynam, Terrance J & Karen L 7 Benson Lane Skillman, NJ 08558 Overpayment 4 th qtr 2005 Due to County Board Appeal	\$2,100.56 (principal) \$ 29.87 (int) \$2,130.43 (total)
50	29	Ferdno & Livia Meszaros 583 Penn Harbourton Rd Pennington, NJ 08534 Overpayment 4 th qtr 2005 Due to County Board appeal	\$ 697.82 (principal) \$ 11.15 (int) \$708.97 (total)
78	7.27	Robert J & Mildred A Rushnak 59 Lexington Dr Pennington, NJ 08534 Overpayment 4 th qtr 05 Due to County Board Appeal	\$1,626.26 (principal) \$ 28.06 (int) \$1,654.32 (total)
15	16	Michael J & Jennnifer P Figge 154 Province Line Rd Skillman, NJ 08558 Overpayment 4 th qtr 05 Due to county tax board appeal	\$6,932.34

RESOLUTION #06-110

**A RESOLUTION AUTHORIZING
REFUNDS FROM HOPEWELL TOWNSHIP
FOR OVERPAYMENT OF 2006 TAXES**

WHEREAS, the Tax Collector has determined that overpayments of 2006 tax payments have been made;

NOW, THEREFORE, BE IT RESOLVED, on this 27th day of March 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that the individuals and/or corporations so specified below be shown as refunds for overpayment of 2006 taxes.

BLOCK	LOT	REFUND TO	AMOUNT
67	14	First American Real Estate 8435 Stemmons Fwy Dallas, Tx 75247 Duplicate 1 st qtr payment Owner of record: Haldeman	\$1493.13
78	10.02 C104	Nets Electric Tax Service MAC X2502-011 405 SW 5 th Street Des Moines, IA 50309-9736 Duplicate 1 st qtr Pmt Owner of Record: Voronkov & Atainants	\$748.88
78	10.02 C173	Levine Esquire Suite 101 Attn: Pat 147 Columbia Tpke Florham Park, NJ 07932	\$155.93

Duplicate 1st qtr pmt
 Owner of record: Beazer Home Corp

78	10.02	C179	First American Real Estate 8435 Stemmons Fwy Dallas, TX 75247 Duplicate 1 st qtr Pmt Owner of record: Chitester	\$25.85
78.20	18	C150	Saul Ewing Attn: S. Dember 750 College East Princeton, NJ 08540 Duplicate 4 th qtr pmt Owner of Record: Doussineau	\$86.73
78.43	1	C053	First American Real Estate 8435 Stemmons Fwy Dallas, Tx 75247 Duplicate 1qtr pmt Owner of record : Gorny	\$1926.67
88	009		Vanguard Title 2109 Pennington RD Trenton, NJ 08638 Duplicate 1 st qtr pmt Owner of record: Millinghausen	\$1145.45
116	10		Steve Morland, Esquire 46 North Main St Lambertville, NJ 08530 Duplicate 1 st Payment Owner of Record: Zwolinski	\$1117.37
78.24	13		James & Lesley Bladel c/o Fulginiti & Pessel, attorneys@law 214 Carnigie Ctr, Suite 104 Princeton, NJ 08540 Duplicate 1 st qtr pmt Owner of record: Bladel	\$2084.95

RESOLUTION #06-111

**A RESOLUTION AUTHORIZING
 THE TOWNSHIP OF HOPEWELL TO
 APPLY FOR A 2005 RECYCLING GRANT**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection and Energy is promulgating recycling regulations to implement the mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Township Committee of the Township of Hopewell to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED on this 27th day of March 2006, by the Township Committee of the Township of Hopewell that Hopewell Township hereby endorses the submission of a municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and Energy and designates Rose Tkacs Recycling Coordinator to ensure that the said application is properly filed.

RAFFLES APPLICATION - Stony Brook Millstone Watershed Association (RA:4-06) off-premise raffles on September 30, 2006, 6:00 to 10:00 p.m., 31 Titus Mill Road.

RESOLUTION #06-112. Read by title.

Committee Member Niederer questioned the sick leave policy and sick leave accumulation from year to year until retirement. Ms. Borges noted that such is not a change in the policy manual and is similar to other government policy. A brief discussion was held as to the sick leave policy and non-union employees. Mr. Hilling noted that the policy was updated as required by the township's insurance carrier, and could be amended by the Township Committee from time to time.

Motion by Niederer, seconded by Iorio to adopt Resolution #06-112.

MOTION UNANIMOUSLY CARRIED

RESOLUTION #06-112

A RESOLUTION ADOPTING PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, it is the policy of Township to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, The New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Township Committee has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED on this 27th day of March 2006, by the Township Committee, of the Township of Hopewell, County of Mercer, State of New Jersey that the Personnel Policies and Procedures Manual is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Hopewell Township officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Hopewell Township employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for Hopewell Township shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Township Committee and all managerial/supervisory personnel are responsible for these employment practices. The Township Administrator and the Township Attorney shall assist the Township Committee in the implementation of the policies and procedures in this manual.

RESOLUTION #06-113. Read by title.

Motion by Sandahl, seconded by Niederer to adopt Resolution #06-113.

ROLL CALL VOTE:

AYES: Iorio, Murphy, Niederer, Sandahl, Mayor Sandom

NOES: None

R E S O L U T I O N #06-113

**A RESOLUTION FOR AN
EMERGENCY TEMPORARY APPROPRIATION**

WHEREAS, an emergent condition has arisen with respect to the Parks & Recreation O/E Budget and no adequate provision has been made in the 2006 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 2006 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$2,991,221.00;

NOW, THEREFORE, BE IT RESOLVED, on this 27th day of March 2006, 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:
Parks & recreation O/E \$4,200.00
2. That said emergency temporary appropriation has been provided for in the 2006 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 #06-114. Read by title.

Motion by Sandahl, seconded by Iorio to adopt Resolution #06-114.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-114

**A RESOLUTION AUTHORIZING CHANGE
ORDER #1 TO THE CONTRACT WITH
TRAP ROCK INDUSTRIES, INC. FOR
2005 ROAD CONSTRUCTION MATERIALS**

WHEREAS, on August 8, 2005, the Township Committee of the Township of Hopewell authorized a contract with Trap Rock Industries, Inc. in the amount of \$156,652.50 for 2005 road construction materials; and

WHEREAS, the Public Works Assistant Director has recommended an increase of \$137.00 representing 8.41 tons of screenings and 10.86 tons of 1-inch blended stone.

NOW, THEREFORE, BE IT RESOLVED on this 27th day of March 2006, by the Township Committee of the Township of Hopewell, County of Mercer and State of New Jersey:

1. That an increase in the amount of \$137.00 be and is hereby approved with respect to the contract for 2005 Road Construction Materials.
2. That the new contract amount with Trap Rock Industries, Inc. is \$156,789.50.

RESOLUTION #06-115. Read by title.

Motion by Iorio, seconded by Sandahl to adopt Resolution #06-115.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-115

**A RESOLUTION AWARDED A CONTRACT
TO LUCAS ELECTRIC CO., INC. FOR UNDERGROUND
ELECTRIC SERVICES, MUNICIPAL ATHLETIC COMPLEX**

WHEREAS, the Township of Hopewell advertised for Underground Electric Services, Municipal Athletic Complex; and

WHEREAS, the Township received five bids March 13, 2006; and

WHEREAS, the bids were reviewed, and recommendation has been made by the Township Engineer in his memorandum dated March 16, 2006 for award to Lucas Electric Co. Inc., 415 Mercer Street, Hightstown, New Jersey 08520, the lowest responsive, responsible bidder; and

WHEREAS, the Township Chief Financial Officer certifies funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED on this 27th day of March 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey:

1. That a contract be and is hereby awarded to Lucas Electric Co., Inc., 415 Mercer Street, Hightstown, New Jersey 08520 for Underground Electric Services, Municipal Athletic Complex.
2. That the contract is not to exceed \$194,000.00
3. That the Mayor and Clerk be and are hereby authorized to execute said contract.

RESOLUTION #06-116. Read by title.

Motion by Iorio, seconded by Murphy to adopt Resolution #06-116.

MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-116

A RESOLUTION AUTHORIZING RELOCATION ASSISTANCE FUNDING

WHEREAS, the Township of Hopewell is in the process of acquiring Block 93, Lot 5, Hopewell Township Tax Map; and

WHEREAS, there is a tenant currently residing within said property; and

WHEREAS, this tenant has been income-qualified by the New Jersey Housing and Mortgage Finance Agency and the Hopewell Township Affordable Housing Coordinator to purchase a one (1) bedroom, low-income affordable housing unit within the Brandon Farms community; and

WHEREAS, in order to complete this purchase, the tenant will require closing cost assistance not to exceed \$2,700.00; and

WHEREAS, the Township of Hopewell wishes to make said funds available in the form of a grant from the Hopewell Township Affordable Trust Fund pursuant to the provisions of the New Jersey Relocation Assistance Program, N.J.S.A. 40:60-25.59 et seq.; and

WHEREAS, the Hopewell Township Affordable Housing Committee has reviewed and endorses this funding request.

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

1. The Hopewell Township Chief Financial Officer is hereby authorized and directed to make the sum not to exceed \$2,700.00 available as relocation assistance to the tenant in Block 93, Lot 5, Hopewell Township Tax Map in order to provide him with closing cost assistance for the purchase of a one (1) bedroom, low-income affordable housing unit within the Brandon Farms Development for a sum of \$54,456.00.

2. The Hopewell Township Affordable Housing Coordinator is also authorized to seek reimbursement for said assistance through the provisions of the New Jersey Relocation Assistance Program, N.J.S.A. 40:60-25.59, et seq.

3. This assistance is being made available as a grant and does not have to be repaid to the Township of Hopewell.

4. A certified true copy of this Resolution shall be furnished upon its adoption to the Hopewell Township Affordable Housing Coordinator and through said Coordinator to Princeton Mortgage Company.

RESOLUTION #06-117. Read by title.

Committee Member Sandahl explained that the proposed resolution authorizes the Township of Hopewell to join with the Borough of Hopewell in accepting a SHARE grant for the purpose of a feasibility study of police related services. He noted that Hopewell Township would be the lead

agency in this endeavor. In response to a question from Committee Member Iorio as to whether the findings are binding, Committee Member Murphy indicated that the parties had agreed to abide by the expert opinion.

Motion by Niederer, seconded by Murphy to adopt Resolution #06-117.

MOTION UNANIMOUSLY CARRIED

RESOLUTION #06-117

A RESOLUTION ACCEPTING A FEASIBILITY STUDY GRANT UNDER THE SHARING AVAILABLE RESOURCES EFFICIENTLY ("SHARE") PROGRAM AND AWARD OF CONTRACT TO JERSEY PROFESSIONAL MANAGEMENT TO PROVIDE A SHARED SERVICES FEASIBILITY STUDY

WHEREAS, the Governing Bodies of the Township of Hopewell and the Borough of Hopewell are continually seeking ways to maintain and improve requisite services while attempting to control and, when possible, reduce costs to the taxpayers of the municipalities; and

WHEREAS, one of the ways in which such goals may be accomplished is through the implementation of Shared Services Agreements; and

WHEREAS, the Governing Bodies of the Township of Hopewell and the Borough of Hopewell have been exploring the possibility of expanding the current shared police related services through some form of combined or cooperative arrangement; and

WHEREAS, the Governing Bodies of the Township of Hopewell and the Borough of Hopewell recently solicited a proposal from a qualified consultant to assist the Township and Borough in their cooperative efforts to complete an assessment of the potential benefits and possible detriments of a cooperative arrangement; and

WHEREAS, Jersey Professional Management has submitted a proposal to provide such services; and

WHEREAS, said proposal has been reviewed and found to be generally acceptable subject to such modifications and clarifications as shall be reflected in a final form of contract; and

WHEREAS, the State of New Jersey has made Sharing Available Resources Efficiently ("SHARE") grants available to assist local units study, develop and implement new shared and regional services; and

WHEREAS, the Governing Bodies of the Township of Hopewell and the Borough of Hopewell have agreed to accept the terms and conditions of a Sharing Available Resources Efficiently ("SHARE") Grant through the State of New Jersey SHARE Program in the amount of \$6,600; and

WHEREAS, the Township of Hopewell has agreed to be the lead agency in this endeavor; and

WHEREAS, the Governing Body of the Township of Hopewell, is acknowledging and accepting the responsibility of acting as applicant for this grant on behalf of the Governing Body of the Borough of Hopewell; and

WHEREAS, the purpose of this grant is to promote shared services between our local units through the sharing of police related services that would be beneficial to both local units.

NOW, THEREFORE, BE IT RESOLVED on this 27th day of March by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey that the Township of Hopewell does hereby join with the Governing Body of the Borough of Hopewell in accepting a SHARE grant in the amount of \$6,600 for the purpose of a feasibility study of such an endeavor; and

BE IT FURTHER RESOLVED that the firm of Jersey Professional Management is hereby retained to provide a Shared Services Feasibility Study for the possible expansion of a current shared police related services and to serve as Overall Coordinator and Project Manager pursuant to the terms of the New Jersey State SHARE grant for a proposed fixed fee contract of \$9,900, as same shall be modified and more specifically defined by a services contract; and

BE IT FURTHER RESOLVED that the difference of \$3,300 between the proposal and the grant be shared by the Township of Hopewell and the Governing Body of the Borough of Hopewell in the amounts stipulated in the resolutions authorizing the SHARE grant application adopted by said municipalities; and

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized and directed to execute and to take such other actions as may be necessary or appropriate to finalize a contract with said consultant to provide such services as are anticipated hereby; and

BE IT FURTHER RESOLVED that the Township Administrator is hereby designated as the principal liaison and contact person for the Township with respect to this project; and

BE IT FURTHER RESOLVED that the Township Clerk shall forward copies of this resolution to NJDCA, Jersey Professional Management, and the Governing Body of the Borough of

Hopewell.

RESOLUTION #06-118. Read by title.
Motion by Sandahl, seconded by Niederer to adopt Resolution #06-118.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-118

**A RESOLUTION AUTHORIZING
MAINTENANCE BOND RELEASE FOR
POPKIN - SILO ASSOCIATES, LLC
BLOCK 46, FORMERLY LOT 15**

WHEREAS, the Developer, First Properties Corporation (Popkin), has requested release of the maintenance bond held by the township for site improvements to Block 46, formerly Lot 15; and

WHEREAS, the Township Engineer has inspected the site improvements and recommends (per memorandum dated February 21, 2006, attached to and made a part hereof) the release of the maintenance guarantee subject to the following condition:

1. Payment of any and all outstanding fees and accounts.

NOW, THEREFORE, BE IT RESOLVED, on this 27th day of March 2006, by the Township Committee of the Township of Hopewell, that Maintenance Bond No. 22736099 dated September 15, 2003, in the amount of \$50,680.80 for improvements to Block 46, formerly Lot 15 is hereby released subject to the aforementioned condition.

RESOLUTION #06-119. Read by title.
Motion by Mayor Sandom, seconded by Sandahl to adopt Resolution #06-119.
MOTION UNANIMOUSLY CARRIED

R E S O L U T I O N #06-119

**A RESOLUTION APPOINTING
SAMANTHA MOCHEL AS CLERICAL ASSISTANT
FOR THE ADMINISTRATION OFFICES**

BE IT RESOLVED on this 27th day of March 2006, by the Township Committee of the Township of Hopewell, County of Mercer, State of New Jersey, that Samantha Mochel be and is hereby appointed as Clerical Assistant for the administration offices.

BE IT FURTHER RESOLVED that Samantha Mochel be paid at the hourly rate of \$8.32.

BE IT FURTHER RESOLVED that this appointment become effective April 1, 2006.

RESOLUTION #06-120. Read by title.
Motion by Sandahl, seconded by Niederer to adopt Resolution #06-120.
ROLL CALL VOTE:

AYES: Iorio, Murphy, Niederer, Sandahl, Mayor Sandom
NOES: None

R E S O L U T I O N #06-120

BILLS & CLAIMS

BE IT RESOLVED, that the list of cash disbursements authorized for approval of bills for payment dated March 27, 2006, in the following amounts:

Bills and Claims	-	\$ 4,060,741.80
Payroll	-	\$ 370,435.16
Total Disbursements	-	\$ 4,431,176.96

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

PUBLIC SECTION

William Schoelwer commented on employee health benefits and retirement benefits.

Len Ramist, a resident of Pennington Road, commented on the tax settlement agreement and expressed his opposition to its approval at an agenda meeting. He also questioned the cost of the Wong report.

EXECUTIVE SESSION RESOLUTION. Read into the record.
Motion by Sandahl, seconded by Murphy to go into Executive Session to discuss litigation matters.
MOTION UNANIMOUSLY CARRIED

EXECUTIVE SESSION RESOLUTION

WHEREAS, it is necessary for the Township Committee to discuss litigation 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 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 27th day of March 2006, 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 8:50 p.m. the Executive Session was held.

At 9:12 p.m., Motion by Iorio, seconded by Sandahl to adjourn the meeting.
MOTION UNANIMOUSLY CARRIED

Annette C. Bielawski
Municipal Clerk