

HOPEWELL TOWNSHIP COMMITTEE
MINUTES OF THE REGULAR MONTHLY MEETING
August 12, 2009

Flag Salute

Sunshine Statement:

In compliance with the 'Open Public Meetings Law' the Regular Meeting was duly advertised by an annual notice sent to the News of Cumberland County, the Press, and WSNJ on January 14, 2009. Notices were placed on the Municipal Office bulletin board on the same date.

Officials Present: Hankins, Cruzan, Facemyer, Ritter, Shoemaker. Others: Sol. T. Henry Ritter, Assistant Sol. Matthew Ritter, A. Clerk E. Daddario, D. Clerk T. Ritter, Treasurer Lois Buttner. Others Present: Zarko Rajacich, John Schaffer, Tax Assessor Lois Mazza, Planning Board Member Alfred Caggiano, Jr.

Facemyer, seconded by Ritter, moved for **Approval of Minutes** of 7/22/09 Regular Meeting. (Including Resolutions Passed). Approved (5-0)

Shoemaker, seconded by Cruzan, moved for **Approval of Minutes** of 7/22/09 Executive Session Meeting. Approved (5-0)

The Mayor welcomed **Lois Mazza**, Tax Assessor, who informed the committee that Hopewell's ratio for 2009 is 62.98. She passed along a request from County Tax Administrator, Patricia Belmont, to consider plans for revaluation as soon as possible.

DEPARTMENT & COMMITTEE REPORTS:

Administrator acknowledged that special effort was received from Lois Buttner and Lois Mazza in stuffing and mailing of tax bills during the week of August 3rd. **Assessor** distributed worksheets used to determine municipal tax rates for 2009. **Clerk** reported that the job description has been posted and applications have been received for the opening in the Public Works Department. The information has been forwarded to the Personnel Committee. **Construction Dept.** submitted the July Permit Report (Total \$2,865.00). **Dog Registrar** submitted the July 2009 Report (632 Dog Tags issued as of 8/10/09). **Convenience Center** reported 1126 Permits issued as of 8/10/09. **Engineer:** Design plans and bid specifications for resurfacing of Orchard Crest Drive and Peach Tree Lane have been completed and sent to DOT for approval. **Public Works/Road** employee, Lonnie Wiggins, is working approximately 8-10 hours per week to help keep up with work load until the open PW position is filled. **Tax & Sewer Collector** submitted the July Cash Book Report (\$50,503.58 incl. interest and \$31,631.76 sewer). **Senior Center** annual maintenance will be done during the last two weeks of August (Floor cleaning/waxing, pesticide application, etc.).

Ritter, seconded by Cruzan, moved to approve the **purchase of two desk top computers** (Approx. \$1,700.00 total) to be used for instruction at the West Cumberland Senior Center.

A bill list dated 8/22/09 prepared by Treasurer Buttner was provided. Ritter, seconded by Facemyer, motion for **Approval of bills** totaling **\$33,935.79** on this prepared list (Less Hankins Bill) was approved (5-0).

Ritter, seconded by Facemyer, moved for **Approval of Hankins Bill** (\$293.48). Approved (Hankins Abstain).

Ritter, seconded by Facemyer, motion for **Approval of CASA Payroll Expense total** issued for 8/22/09 **\$19,657.22** was approved by all present.

The Mayor asked if there were any questions or comments and opened the meeting to **PUBLIC COMMENTS.**

John Schaffer (90 Orchard Crest Drive) spoke of the deterioration of the roof on his house due to inferior workmanship by the builder, who is no longer in business. The house was built 13 years ago and was inspected by the township construction department. He asked what his options would be to remedy the situation and if the township would be liable in this case. Solicitor, T. Henry Ritter, informed Mr. Schaffer that the statute of limitations had lapsed, but suggested that he call the Cumberland County Bar Association Lawyer Referral Service for low cost attorney consultation.

Zarko Rajacich expressed his complete satisfaction with the inspectors from the township construction department when he built his new house three years ago. He noted that they were knowledgeable and offered valuable suggestions. He then questioned the status of the Comcast franchise renewal negotiations. There being no update, he suggested that the committee members look into not signing a contract until more service area additions were included.

There being no further public comment, at 8:08pm, Ritter, seconded by Facemyer, moved the meeting to **OLD BUSINESS.**

TDR Project: Shoemaker reported on a recent meeting of the Western/Southern Cumberland County Strategic Plan Committee. One of the topics of discussion was a countywide TDR Program. The general consensus seemed to be that a countywide program will not be considered until Hopewell Township has a successful implementation of their TDR project.

DCA Housing Grant: One new application was forwarded to grant administrator, Judson Moore, on August 10.

Sewer Upgrade Project Report: T. Ritter reported that a meeting was held at the office of Fralinger Engineering PA on August 6th to “firm up” specifications for the upgrade project. Revised specifications should be available in approximately two weeks.

Municipal Building Renovation Report: A meeting is scheduled for Wednesday, September 2nd with Carol Cummings, Regional Municipal Court Administrator, to discuss courtroom design and recommendations.

NEW BUSINESS:

Ritter, seconded by Cruzan, motion to approve a **Clean Communities Application** submitted by Bridgeton First Church of the Nazarene for one Clean-up Date was approved by all.

Ritter, seconded by Cruzan, motion to approve a **Clean Communities Application** submitted by Cohansey Blitz/Cohansey Crew for two Clean-up Dates was approved by all.

In a July 28, 2009 letter from the State Agriculture Development Board, Executive Director, Susan Craft requested Hopewell Township support for the Adamucci Farm Planning Incentive Grant.

Shoemaker, seconded by Cruzan, moved for **Hopewell Township support of the Adamucci PIG Application.** Approved (5-0).

The following resolution was approved:

**HOPEWELL TOWNSHIP CUMBERLAND COUNTY
RESOLUTION NO. 09-44
Providing for Grace Period of 2009 3rd Quarter Taxes**

WHEREAS, N.J.S.A. 54:4 provides for taxation laws for all New Jersey municipalities; and
THEREFORE BE IT RESOLVED by the Township of Hopewell that due to the late release of the 2009 tax rate, that third quarter taxes may be paid without penalty or interest if paid by the close of the Tax Office on September 1, 2009. After this date, interest will be charged on all third quarter tax payments and will be calculated from August 1, 2009.

Motion By: Facemyer

Aye: Hankins, Ritter, Shoemaker, Cruzan, Facemyer

Absent: None

Second by: Ritter

Nay: None

Abstain: None

After copies were distributed by the clerk, the committeemen reviewed **2008 Audit Comments and Recommendations** from Township Auditors, Ford-Scott Associates, LLC.

The Following resolutions were approved:

**RESOLUTION NO 09-45
Approve the Corrective Action Plan for the 2008 Audit Report**

WHEREAS, The Township Committee of the Township of Hopewell have received, read, and understand The Corrective Action Plan (“the Plan”) in response to the Summary of Conditions and Recommendations as contained in the 2008 Audit Report, and

WHEREAS, The Township CFO has prepared “the Plan” as the Local Finance Board has set forth the requirement that “the Plan” must be prepared in accordance with the US Office of Management and Budget circular and the Local Finance Notice #92-15, and

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hopewell that “the Plan” is hereby approved.

Motion by: Facemyer

Aye: Hankins, Ritter, Cruzan, Facemyer, Shoemaker

Absent: None

Second by: Ritter

Nay: None

Abstain: None

HOPEWELL TOWNSHIP RESOLUTION NO. 09-46

2008 Annual Report of Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2008 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6 and a copy has been received by each member of the governing body, and

WHEREAS, The Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, The Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments and Recommendations

And;

WHEREAS, The members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments and Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, Such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, All members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52A to wit:

"A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year or both, in addition shall forfeit his office."

NOW THEREFORE BE IT RESOLVED, That the Township Committee of the Hopewell Township of the County of Cumberland hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Motion by: Facemyer

Aye: Hankins, Ritter, Cruzan, Facemyer, Shoemaker

Absent: None

Second by: Ritter

Nay: None

Abstain: None

HOPEWELL TOWNSHIP RESOLUTION NO. 09-47

LOSAP Amended Plan

WHEREAS, the Hopewell Township Committee, County of Cumberland and State of New Jersey, deemed it appropriate and necessary to act to ensure retention of existing volunteers and to provide incentives for recruiting new volunteer firefighters by passage of Resolution 02-26 adopted by the Hopewell Township on the 12th day of June, 2002:

WHEREAS, the Hopewell Township Committee by resolution determined that the creation of a Length of Service Award Program would enhance the ability of the Hopewell/Stow Creek Fire Co. to retain and recruit volunteer firefighters and as such by resolution retained The Variable Annuity Life Insurance Company ("VALIC") as the contractor under the Plan document approved by the Division of Local Government Services and assigned identifier 07-LOSAP-VALIC-120800 effective April 9, 2008; and

WHEREAS, the Hopewell Township Committee desires to adopt the updated VALIC Length of Service Award Plan Document approved by the Division of Local Government Services and assigned identifier 07-LOSAP-VALIC-040209;

NOW, THEREFORE, BE IT RESOLVED that the Hopewell Township Committee hereby adopts the VALIC Length of Service Award Plan Document approved by the Division of Local Government Services and assigned identifier 07-LOSAP-VALIC-040209 effective August 12, 2009, and authorizes the Acting Municipal Clerk to execute the document and to submit a certified copy of this Resolution to the Director of the Division of Local Government Services.

Motion by: Shoemaker

Aye: Hankins, Ritter, Cruzan, Facemyer, Shoemaker

Absent: None

Second by: Facemyer

Nay: None

Abstain: None

The following ordinance was approved upon introduction:

**HOPEWELL TOWNSHIP
ORDINANCE NO. 09-06**

AN ORDINANCE repealing Hopewell township ordinance No. 05-07, which required on-site recreational improvements in residential subdivisions of five lots or greater.

WHEREAS the Township of Hopewell previously adopted Ordinance No. 05-07, requiring on-site recreational improvements in certain residential subdivisions; and

WHEREAS the New Jersey Supreme Court has determined that municipal ordinances requiring on-site recreational improvements, other than within a Planned Unit Development, are not permitted, in that there is no such express grant of authority in the Municipal Land Use Law;

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

Section 1. Ordinance 05-07, an ordinance requiring on-site recreational improvements in residential subdivisions of five lots or greater, is hereby repealed.

Section 2. This Ordinance shall become effective immediately upon final adoption and publication thereof, according to law.

Motion by: Cruzan

Aye: Hankins, Ritter, Cruzan, Facemyer, Shoemaker

Absent: None

Second by: Facemyer

Nay: None

Abstain: None

CORRESPONDENCE & NOTES & FILINGS include: **Thank you** Card from the Hildreth Family for all expressions of sympathy, **The Ritter Law Office** statute permitting conversion of age-restricted housing, **New Jersey Legislative District Three** newsletter and contact information, **CDC** meeting info. to discuss animal control/sheltering shared services (August 10), **NJ Recreation and Park Association** 35th Annual Conference flyer and registration form, **CCIA** 18th Annual Waterways Cleanup (September 26), **The Delaware River and Bay Authority** 2008 Annual Report, **Green Olive Properties, LLC** notice of hearing for 21 additional parking spaces, **GovConnect** Non-Residential Development Fee Act Amendments, New items update, **NJLM** Legislative Bulletin, State Fiscal Year 2010 Municipal Budget Cap Cost-of-Living Adjustment, The New Jersey Economic Stimulus Act of 2009, Ethics Training Available, Actions Relative to Loss of Business Personal Property Tax Revenue, Conference Pre-Registration Information (October 1, Deadline), Statement of support enabling municipalities to utilize Credit Unions as depositories, Website info. for The Site Remediation Reform Act, Volunteer Background Check Process.

At 9:12pm Shoemaker, seconded by Cruzan, moved the meeting into **EXECUTIVE SESSION** for the purpose of discussing possible litigation.

At 9:46pm the meeting was returned to **Open Session**

There being no further business, Ritter, seconded by Cruzan, motion to **ADJOURN** was approved by all. The Mayor adjourned the meeting at 9:47pm.

Eugene Daddario, A. Clerk

Theodore T. Ritter, D. Clerk

cc:

**Committee,
Township Bulletin Bd.,
Sol. T. H. Ritter**

AGENDA
HOPEWELL TOWNSHIP COMMITTEE
REGULAR MONTHLY MEETING
August 12, 2009

Flag Salute

Sunshine Statement:

In compliance with the 'Open Public Meetings Law' the Regular Meeting was duly advertised by an annual notice sent to the News of Cumberland County, the Press, and WSNJ on January 14, 2009. Notices were placed on the Municipal Office bulletin board on the same date.

Roll Call: Township Committee: Hankins, Cruzan, Facemyer, Ritter, Shoemaker; Others:

***Approval of Minutes** of 7/22/09 Regular Meeting (Including Resolutions Passed)

***Approval of Minutes** of 7/22/09 Executive Session

Welcome Lois Mazza Tax Assessor (Property Revaluation)

Treasurers Report:

DEPARTMENT & COMMITTEE REPORTS:

Administrator: Special effort was received from Lois Buttner and Lois Mazza in stuffing and mailing of tax bills during the week of August 3rd.

Assessor: *Tax Rate Worksheet

Clerk: Job description has been posted and applications have been received for the job opening in the Public Works Department. The information has been forwarded to the Personnel Committee.

Construction Dept: *July Permit Report (Total \$2,865.00)

Dog Registrar: *July 2009 Report, 632 Dog Tags issued as of August 10

Convenience Center: 1126 Permits issued as of 8/10/09

Economic Development:

Engineer: Design plans and bid specifications for resurfacing of Orchard Crest Drive and Peach Tree Lane have been completed and sent to DOT for approval.

Environmental Commission:

Fire Dept. (Cruzan)

Insurance: (Shoemaker)

Public Works/Road: Lonnie Wiggins working approximately 8-10 hours per week to help keep up with work load.

Planning and Zoning Boards:

Tax & Sewer Collector: *July Cash Book Report \$50,503.58 incl. interest and \$31,631.76 sewer

Senior Center: Annual maintenance will be done during the last two weeks of August (Floor cleaning/waxing, pesticide application, etc.). Approve Computer purchase (Approx. \$1,700.00)

***Approval of bills:** Total Bills \$33,935.79 on Treasurers 8/12/09 prepared list. (Less Hankins Bill)

Approval of Hankins Bill (\$293.48)

Approval of CASA Payroll Expense total issued for 8/12/09 \$19,657.22

PUBLIC COMMENTS AND QUESTIONS

OLD BUSINESS:

COAH: (Shoemaker)

TDR Project: (Shoemaker)

DCA Housing Grant:

Sewer Upgrade Project Report

Municipal Building Renovation Report

NEW BUSINESS:

Clean Streets Application Bridgeton First Church of the Nazarene

Clean Streets Application Cohansey Blitz/Cohansey Crew (Two Dates)

***SADC Request for support on Adamucci PIG Application**

***Resolution No. 09-44:** Providing for Grace Period of 2009 3rd Quarter Taxes

***Review Ford-Scott 2008 Audit Comments and Recommendations**

***Resolution No. 09-45:** Corrective Action Plan for the 2008 Audit Report

***Resolution No. 09-46:** 2008 Annual Report of Audit (Group Affidavit Form)

***Resolution No. 09-47 L.O.S.A.P Updated Plan**

***Ordinance No. 09-06 (Introduction) Repealing Ordinance No. 05-07 Requiring On-Site Recreational Improvements in Residential Subdivisions of Five Lots or Greater**

CDC: (Mayor)

CORRESPONDENCE & NOTES & FILINGS include: **Thank you** Card from the Hildreth Family for all expressions of sympathy, **The Ritter Law Office** statute permitting conversion of age-restricted housing, **New Jersey Legislative District Three** newsletter and contact information, **CDC** meeting info. to discuss animal control/sheltering shared services (August 10), **NJ Recreation and Park Association** 35th Annual Conference flyer and registration form, **CCIA** 18th Annual Waterways Cleanup (September 26), **The Delaware River and Bay Authority** 2008 Annual Report, **Green Olive Properties, LLC** notice of hearing for 21 additional parking spaces, **GovConnect** Non-Residential Development Fee Act Amendments, New items update, **NJLM** Legislative Bulletin, State Fiscal Year 2010 Municipal Budget Cap Cost-of-Living Adjustment, The New Jersey Economic Stimulus Act of 2009, Ethics Training Available, Actions Relative to Loss of Business Personal Property Tax Revenue, Conference Pre-Registration Information (October 1, Deadline), Statement of support enabling municipalities to utilize Credit Unions as depositories, Website info. for The Site Remediation Reform Act, Volunteer Background Check Process.

Solicitor's Report: Development Ordinance (Open Space Dedication), Lovell Suit

EXECUTIVE SESSION: (If Needed)

ADJOURN

Eugene Daddario, A. Clerk
Theodore T. Ritter, D. Clerk

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