

HOPEWELL TOWNSHIP COMMITTEE
MINUTES OF THE REGULAR MONTHLY MEETING
September 23, 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, Shoemaker. Absent: Ritter. Others: Assistant Sol. Matthew Ritter, A. Clerk E. Daddario, D. Clerk T. Ritter, Treasurer Lois Buttner. Others: Jeff Shimp, Robin Freitag and Planning Board Member Alfred Caggiano, Jr.

Shoemaker, seconded by Cruzan, moved for **Approval of Minutes** of 9/9/09 Regular Meeting. (Including Resolutions Passed). Approved (3-0) Facemyer Abstain

Treasurer Buttner distributed a package of reports. Facemyer, seconded by Cruzan, moved to approve the **Treasurers Report of Account Balances 9/23/09** as submitted. Approved (4-0).

DEPARTMENT & COMMITTEE REPORTS:

Administrator has scheduled a September 29th meeting with Greenwich Township officials to review the convenience center agreement and a meeting with Comcast to review revised proposals on October 1st. **Convenience Center** reported 1159 Permits issued as of 9/22/09. Fall clean up is in progress (Paint and number containers, compactor maintenance, remove brush piles, paint building, etc.). **Economic Development Committee** is developing a list of available commercial and industrial sites and receiving quotes on township welcome signs. **Engineer:** The bid opening for the resurfacing of Orchard Crest Drive and Peach Tree Lane is scheduled for October 14, 2009. **Public Works/Road:** Pick-up truck bid specifications have been advertised. Clean up of municipal building grounds and garage is in progress. **Zoning Officer** submitted the July and August Zoning Permit Summary (\$60.00 in fees). **Tax & Sewer Collector** submitted the Cash Book Breakdown for August 2009 (\$51,585.46 collected inc. interest)

A bill list dated 9/23/09 prepared by Treasurer Buttner was provided. Facemyer, seconded by Shoemaker, motion for **Approval of bills** totaling \$399,258.53 on this prepared list was approved (4-0).

Facemyer, seconded by Shoemaker, motion for **Approval of CASA Payroll Expense total** issued for 9/23/09 \$45,907.47 was approved by all present.

The Mayor asked if there were any questions or comments and opened the meeting to **PUBLIC COMMENTS**. Jeffrey Shimp asked the committee if his standing rental agreement for the business park land would be renewed for 2010. He was advised that the agreement would continue. There being no further public comment, at 7:42pm, Facemyer, seconded by Shoemaker, moved the meeting to **OLD BUSINESS**.

The following resolution was approved:

HOPEWELL TOWNSHIP RESOLUTION NO. 09-56

Authorization for Continuance of Renting Farmland at the Business Park

WHEREAS, the Township Committee has authorized the right to farm certain acreage at the Business Park in the Township; and,

WHEREAS, in previous years Norman Shimp has rented this land at a rate of \$35.00 per acre; and,

NOW THEREFORE, BE IT RESOLVED by the Township Committee that a fair rental value of \$35 per acre for approximately 27 acres for a one year term will be paid by Norman Shimp to continue farming at the Hopewell Township Business Park.

Motion : Facemyer

Aye: Hankins, Cruzan, Facemyer, Shoemaker

Absent: Ritter

Second by: Cruzan

Nay:

Abstain:

HOPEWELL TOWNSHIP RESOLUTION NO. 09-55

To Waive Tax Interest when Property Taxes were billed under Incorrect Name

BE IT RESOLVED, by the Township Committee of the Township of Hopewell, County of Cumberland, State of New Jersey, as follows;

WHEREAS, Tax Bill for Block 47 Lot 5, also known as 74 Hitchner Avenue was originally billed to William and Elaine Doherty; and,

WHEREAS, the Tax Assessor received a new deed on the property with new owners named as Carroll & Marie Ansink; and,

WHEREAS, Elaine Doherty timely came into the tax office in August to pay 3rd quarter tax and was told the property was no longer in her name, and therefore did not make payment; and,

WHEREAS, the Tax Assessor then found that just one half of the property was deeded to the Ansinks and the other half remained deeded to Elaine Doherty; and,

WHEREAS, Elaine Doherty is willing to make payment however has requested interest be waived since she was originally at the tax office before the grace period ended.

NOW, THEREFORE BE IT RESOLVED, the Tax Collector be allowed to waive interest on the August tax bill in the amount of \$16.47.

Motion by: Shoemaker

Second by: Cruzan

Aye: Hankins, Cruzan, Facemyer, Shoemaker

Nay:

Absent: Ritter

Abstain:

HOPEWELL TOWNSHIP RESOLUTION No. 09-57

Resolution Calling Upon the State Legislature to Address the Inequity in the Court Decision of Homes of Hope v. Township of Eastampton

WHEREAS, on Monday, August 24, 2009, an Appellate Division panel in the case of Homes of Hope vs. Township of Eastampton affirmed a lower court ruling that a developer can still argue affordable housing is "inherently beneficial", and compel a municipality to accept more than its fair share of regional need, even if the municipality has satisfied its regional need; and

WHEREAS, Hopewell Township has a substantial amount of affordable housing that needs to be counted towards its affordable housing units; and

WHEREAS, this action was brought against Eastampton even though the Township had met and exceeded its affordable housing obligations; and

WHEREAS, in a concurring opinion it was stated that the Legislature may need to act to correct the apparent conflict between the concept of "inherently beneficial uses" under the Municipal Land Use Law and the Fair Housing Act;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hopewell, that the State Legislature should immediately pass legislation to correct the Eastampton decision by providing that no municipality may be compelled through variance or otherwise to provide more than its fair share of affordable housing; and,

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to Senator Stephen M. Sweeney, Assembly Representatives Celeste M. Riley and John J. Burzichelli, the President of the State Senate, the Speaker of the General Assembly, the New Jersey League of Municipalities and the Governor of the State of New Jersey.

Motion by: Shoemaker

Second by: Cruzan

Aye: Hankins, Cruzan, Facemyer, Shoemaker

Nay:

Absent: Ritter

Abstain:

CORRESPONDENCE & NOTES & FILINGS include: **Association of New Jersey Environmental Commissions (ANJEC)** 36th Annual Environmental Congress information folder, **Bridgeton Area Chamber of Commerce** Invitation to the 23rd Annual Salute to Business and Industry Awards Dinner, **CCUA** Minutes of the August 20th Meeting, August 2009 Monthly User Charge Flow and Loading Report (Projected \$1,431.83 credit adjustment), **Cumberland County Department of Health** Hepatitis Inoculation Fund information, August Summation of Services Report, **NJLM** 94th Annual League Conference hotel and bus information, League conference resolutions, State Planning Commission data for new State Plan, Sample resolution for legislative action on the Eastampton COAH Decision, **Lame Duck Issues** (Mandates Relief and Binding Arbitration Reform), **Unemployment Insurance Extended Benefits**, **H1N1** Readiness Update, **Cumberland County Planning Department** scope of services for open space consultant, **Cumberland County Board of Chosen Freeholders** Delaware Bay Shore Economic Summit II registration form, **Hopewell Township Environmental Committee** August meeting minutes.

Solicitor's Report: Assistant Solicitor, Matthew Ritter updated the committee on the Lovell Suit. Although some clean-up of the property has been noticed, he will continue to request a plan of rehabilitation from MTGLQ Investors, LP or have the property transferred to the township for sale by the municipality pursuant to the Abandoned Properties Rehabilitation Act.

Mr. Ritter also noted that new owners of the former Durham's Garage would be required to submit a site plan for approval before reopening the site. This is due to a change in use from a repair garage to a gasoline service station which would create considerably more traffic flow.

He also noted that he has received a request from Cordon Gross, Construction Official, for a supplement to the development ordinance which would require inspection and a certificate of occupancy when a commercial property has a change of ownership or use. The request will be considered and reported on at a future meeting.

At 8:31pm Cruzan, seconded by Facemyer, moved the meeting into **EXECUTIVE SESSION** for the purpose of discussing real estate negotiations.

At 9:12pm the meeting was returned to **Open Session**.

There being no further business, Cruzan, seconded by Facemyer, motion to **ADJOURN** was approved by all. The Mayor adjourned the meeting at 9:13pm.

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
September 23, 2009

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Sunshine Statement:

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

***Approval of Minutes** of 9/9/09 Regular Meeting (Including Resolutions Passed)

Treasurers Report:

DEPARTMENT & COMMITTEE REPORTS:

Administrator: September 29th meeting with Greenwich Township officials to review convenience center agreement, October 1st meeting with Comcast to review revised proposals

Assessor:

Clerk:

Construction Dept:

Dog Registrar:

Convenience Center: 1159 Permits issued as of 9/22/09, Fall clean up is in progress (Paint and number containers, compactor maintenance, remove brush piles, paint building, etc.)

Economic Development: List of Available Commercial and Industrial Sites, Receiving quotes on Township Welcome Signs

Engineer: Bid opening for resurfacing of Orchard Crest Drive and Peach Tree Lane is scheduled for October 14, 2009.

Environmental Commission:

Fire Dept. (Cruzan)

Insurance: (Shoemaker)

Public Works/Road: Pick-up Truck Bid Specifications Advertised. Clean up of Municipal Building grounds and garage.

Planning and Zoning Boards: July and August Zoning Permit Summary (\$60.00 in fees)

Tax & Sewer Collector: *Cash Book Breakdown for August 2009 (\$51,585.46 collected inc. interest)

Senior Center:

***Approval of bills:** Total Bills \$399,258.53 on Treasurers 9/22/09 prepared list.

Approval of CASA Payroll Expense total issued for 9/22/09 \$45,907.47

PUBLIC COMMENTS AND QUESTIONS

OLD BUSINESS:

COAH: (Shoemaker) *September 18, 2009 Letter to CDC detailing existing affordable housing in Hopewell Township

TDR Project: (Shoemaker)

Sewer Upgrade Project Report (T. Ritter)

Municipal Building Renovation Report (T. Ritter)

Route 49 Curve Signage: *September 11, 2009 Certified letter to New Jersey Dept. of Transportation Traffic Engineering Bureau

South Jersey Indoor Sports Park, LLC *September 21st Letter to The Ritter Law Office

NEW BUSINESS

Bridgeton Breakfast Rotary Club Clean Communities Clean-up Request

Hopewell Crest School Field Hockey Team Clean Communities Clean-up Request

CRHS Football Team Clean Communities Clean-up Request

Approval of Joint Trick or Treat Hours

***Resolution No. 09-54** Resolution honoring J. Michael Fralinger

***Resolution No. 09-55** Waive Interest on August tax bill

CDC: (Mayor)

CORRESPONDENCE & NOTES & FILINGS include: **Association of New Jersey Environmental Commissions (ANJEC)** 36th Annual Environmental Congress information folder, **Bridgeton Area Chamber of Commerce** Invitation to the 23rd Annual Salute to Business and Industry Awards Dinner, **CCUA** Minutes of the August 20th Meeting, August 2009 Monthly User Charge Flow and Loading Report (Projected \$1,431.83 credit adjustment), **Cumberland County Department of Health** Hepatitis Inoculation Fund information, August Summation of Services Report, **NJLM** 94th Annual League Conference hotel and bus information, League conference resolutions, State Planning Commission data for new State Plan, Sample resolution for legislative action on the Eastampton COAH Decision, Lame Duck Issues (Mandates Relief and Binding Arbitration Reform), Unemployment Insurance Extended Benefits, H1N1 Readiness Update, **Cumberland County Planning Department** scope of services for open space consultant, **Cumberland County Board of Chosen Freeholders** Delaware Bay Shore Economic Summit II registration form, **Hopewell Township Environmental Committee** August meeting minutes.

Solicitor's Report: Lovell Suit, Solid Waste Contract (Bid specifications advertised and mailed)

EXECUTIVE SESSION: (If Needed)

ADJOURN

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

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