

**HOPEWELL TOWNSHIP COMMITTEE**  
**MINUTES OF THE REGULAR MONTHLY MEETING**  
October 14, 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, Facemyer, Shoemaker. Absent: Cruzan, Ritter. Others: Assistant Sol. Matthew Ritter, Sol. T. Henry Ritter, A. Clerk E. Daddario, D. Clerk T. Ritter, Treasurer Lois Buttner. Others: Robin Freitag and Planning Board Member Alfred Caggiano, Jr.

Shoemaker, seconded by Facemyer, moved for **Approval of Minutes** of 9/23/09 Regular Meeting. (Including Resolutions Passed). Approved (3-0)

Shoemaker, seconded by Facemyer, moved for **Approval of Minutes** of 9/23/09 Executive Session Meeting. Approved (3-0)

**DEPARTMENT & COMMITTEE REPORTS:**

**Administrator** distributed a report summarizing the September 29<sup>th</sup> Meeting between Greenwich Township Officials and Hopewell Officials regarding the Convenience Center Contract Renewal. **Clerk** reported that an executed lease had been received from the County of Cumberland for rental of Municipal Building Offices. He also acknowledged receipt of Oct. 13<sup>th</sup> Letters from the NJDOT and the NJ Senate & General Assembly awarding Hopewell Township \$110,000.00 in DOT grant funds for the resurfacing of Orchard Crest Drive and Appletree Court. **Construction Dept** submitted the September Permit Report (Total \$3,198.00). **Convenience Center:** 1162 Permits have been issued as of 10/13/09. **Insurance:** (Shoemaker) A Workers' Compensation premium credit is due to the township after changes of classification for committeemen, inspectors, etc. are revised. **Planning Board** minutes of the September 16<sup>th</sup> meeting were distributed. **Tax & Sewer Collector** submitted the September Cash Book Report \$251,011.81 incl. interest and \$12,648.01 sewer.

A bill list dated 10/14/09 prepared by Treasurer Buttner was provided. Facemyer, seconded by Shoemaker, motion for **Approval of bills** totaling **\$37,804.60** on this prepared list (Less Hankins Bill) was approved (3-0).

Facemyer, seconded by Shoemaker, moved for **Approval of Hankins Bill** (\$362.82). Approved (Hankins Abstain).

Facemyer, seconded by Shoemaker, motion for **Approval of CASA Payroll Expense total** issued for 10/14/09 **\$22,600.90** was approved by all present.

The Mayor asked if there were any questions or comments and opened the meeting to **PUBLIC COMMENTS**. There being no public comment, at 7:49pm, Shoemaker, seconded by Facemyer, moved the meeting to **OLD BUSINESS**.

**COAH:** Mayor Hankins reported that he had submitted a letter to the Cumberland Development Corporation proposing discussion on Affordable Housing's methodology for determining a municipality's growth share.

**Sewer Upgrade Project Report:** T. Ritter noted that final size specifications for emergency generators should be received shortly and that complete project specifications should follow within two weeks.

**Municipal Building Renovation Report:** Committeemen were asked to review the latest conceptual drawings and to be prepared with any suggestions at the next meeting.

**Route 49 Curve Signage:** A September 22, 2009 letter from New Jersey Dept. of Transportation Traffic Engineering Bureau was sent to Deputy Mayor Ritter acknowledging receipt of township committee suggestions for increased signage at Route 49 and Old Cohansey Road. Mr. Edward Liu has been assigned to investigate the curve and intersection and to suggest additional measures that should be taken.

**NEW BUSINESS:**

Two Hopewell Township awardees will be honored October 20<sup>th</sup> at the **Bridgeton Area Chamber of Commerce's 23<sup>rd</sup> Annual Salute to Business and Industry Dinner and Awards Ceremony.**

The following Proclamations will be presented:

**TOWNSHIP OF HOPEWELL  
CUMBERLAND COUNTY, NEW JERSEY**

**Proclamation**

**HONORING**

**D. DAVID WILSON**

**RECIPIENT OF THE BRIDGETON AREA CHAMBER OF COMMERCE  
FRANCIS 'BINKS' SHARP ACHIEVEMENT AWARD**

**WHEREAS,** it is the desire of the Township of Hopewell Township to pay special tribute to and honor **D. DAVID WILSON**, who has been chosen to receive the Bridgeton Area Chamber of Commerce Francis "Binks" Sharp Achievement Award.

**WHEREAS, D. DAVID WILSON** has received this award for being a someone who is respected in the community, has a long record of meritorious service and maintains high ethical standards in his business, civic, and community service.

**WHEREAS, D. DAVID WILSON** is being honored for his dedication and hard work in achieving the Francis "Binks" Sharp Achievement Award.

**NOW, THEREFORE, BE IT RESOLVED,** by Hopewell Township, Cumberland County, in the State of New Jersey, **D. DAVID WILSON** is hereby commended for their accomplishment for being the recipient of the Bridgeton Area Chamber of Commerce Francis "Binks" Sharp Achievement Award.

**IN WITNESS WHEREOF,** the Mayor and Committeepersons have caused the present to be executed and the seal of the Township of Hopewell be affixed this  
20<sup>th</sup> day of October, 2009

**TOWNSHIP OF HOPEWELL  
CUMBERLAND COUNTY, NEW JERSEY**

**Proclamation**

**HONORING**

**MAYHEW FARMS**

**RECIPIENT THE AGRICULTURE AWARD**

**WHEREAS,** it is the desire of the Township of Hopewell Township to pay special tribute to and honor **MAYHEW FARMS**, who has been chosen to receive the Bridgeton Area Chamber of Commerce "Salute to Business" Agriculture Award.

**WHEREAS, MAYHEW FARMS** has received this award for being a successful farming family who is respected in the community for their quality crops and nursery stock.

**WHEREAS, MAYHEW FARMS** is being honored for their dedication and hard work as farmers by receiving the Agriculture Award.

**NOW, THEREFORE, BE IT RESOLVED,** by Hopewell Township, Cumberland County, in the State of New Jersey, **MAYHEW FARMS** is hereby commended for their accomplishment for being the recipient of The Agriculture Award.

**IN WITNESS WHEREOF,** the Mayor and Committeepersons have caused the present to be executed and the seal of the Township of Hopewell be affixed this  
20<sup>th</sup> day of October, 2009

Shoemaker, seconded by Facemyer, motion to approve **Clean Communities Applications** submitted by the Cohansey Clash Soccer Team, Cohansey Comets U9 Soccer Team and Star Bounders Booster Club, was approved by all.

Facemyer, seconded by Shoemaker, moved to contract with Centerton Country Club for the **2009 Hopewell Township Employee Appreciation Dinner** on December 7. Approved (3-0)

Facemyer, seconded by Shoemaker, moved to approve a **Property Tax Abatement Application** from **Green Olive Properties, LLC** for the added assessment on their renovation project. The abatement approval was based on the creation of 5 full time and 6 part time employment positions. (Approved 3-0)

The following ordinance was approved upon introduction:

**HOPEWELL TOWNSHIP**  
**ORDINANCE NO. 09-05A**  
**AN ORDINANCE REQUIRING THE MAINTENANCE OF PROPERTIES**

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

Section 1. Title: an Ordinance Requiring the Maintenance of Properties.

Section 2. Findings: Unkempt properties, particularly vacant residential properties, have an adverse social and economic impact on the neighborhood in particular and on the Hopewell Township community in general. Unkempt properties, particularly unoccupied residential properties, also tend to become a nuisance. The failure of an owner to maintain a property results in conditions which are adverse to the health, safety and welfare of the general public of the Township of Hopewell.

Section 3. Requirement of Property Maintenance: It shall be unlawful for any owner, possessor, tenant, or other occupant of a property in the Township of Hopewell to fail to maintain said property as required by this ordinance.

Section 4. Unkempt Property: The Public Officer may deem a property unkempt if it presents a fire risk, health, or safety hazard, due to physical deterioration, or exhibits the presence of vermin or debris, or presents an unkempt or dilapidated appearance, due to untrimmed/overgrown landscaping, and/or uncut grass, which is visible from a public street, road or highway.

Section 5. Presumption of Failure to Maintain: A property that has been unoccupied for six (6) continuous months, and meets any one of the following criteria, shall be deemed to be in violation of this Ordinance:

A. The property is in need of rehabilitation, and no rehabilitation has taken place for six (6) months;

B. Construction or repair was initiated and then discontinued prior to completion and no construction has taken place for six (6) months;

C. The property appears unkempt due to untrimmed/overgrown landscaping, uncut grass, broken windows and/or is boarded up.

Section 6. Notice of Violation.

A. The designated Public Officer, who has identified a property to be in violation of this ordinance, shall so notify the Township Committee. The notice shall include the tax Block and Lot Numbers, the name of the last owner of record and the street address of the property.

B. After receiving notice from the designated Public Officer, the Township Committee may direct the service of a complaint upon the owner, possessor, tenant or other occupant, served either personally or by certified mail, return receipt requested.

C. The notice shall specify the condition(s) causing the property to be in violation of this ordinance. The complaint shall allow a period not exceeding fourteen (14) days within which the person receiving notice shall remedy the described conditions. The complaint shall further inform the recipient that, if the recipient shall fail to cure the conditions, the Township shall undertake to remediate or abate the conditions described in the complaint and shall cause all the costs thereof to be charged against the land.

D. In the event that the conditions complained of are not abated or remedied within the time specified, the Public Officer shall inform the Township Committee of the non-compliance. Upon being so informed, the Township Committee may instruct the Public Officer, pursuant to N.J.S. 40:48-2.13, to correct the condition(s), at the expense of the Township, and to keep an official written account of all costs incurred by the Township, in conjunction with such remediation.

Section 7. Tax Lien. The amount so incurred by the Township will be charged against the property. The amount so charged shall forthwith become a lien upon such property, pursuant to N.J.S. 40:48-2.14, the same to bear interest at the same rate as taxes, and shall be collected and enforced in the same manner as Hopewell Township taxes.

Section 8. Public Officer. The Public Officer designated to exercise the powers specified herein, shall be the Code Enforcement Officer.

Section 9. Severability. If any Section or any part of any Section or clause or phrase in this Ordinance is, for any reason, held to be invalid or unenforceable, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Township of Hopewell declares that it would have passed the ordinance, and each Section and sub-section thereof, irrespective of the fact that any one or more sub-sections, sentences, clauses or phrases, may be deemed invalid.

Section 10. Effective Date.

This Ordinance shall take effect immediately upon passage and publication according to law.

Motion By: Shoemaker

Second by: Facemyer

Roll Call Vote: Hankins: Aye, Facemyer: Aye, Shoemaker : Aye

Absent: Cruzan, Ritter

**Discussion:** An Ordinance to supplement Section 4.16 (Permits) of the Development Ordinance requiring Township inspection of non-residential properties upon change of ownership, occupant or use was referred to the Planning Board for review.

The following resolutions were approved:

**HOPEWELL TOWNSHIP RESOLUTION No. 09-58**  
**RESOLUTION TO CANCEL TAXES DUE WHEN PROPERTY HAS BEEN DELETED**

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

**WHEREAS**, the Tax Collector and Tax Assessor have certified to the Mayor and Township Committee, that the property known as Block 65 Lot 16 Q Farm owned by David Marx should have been deleted from the 2009 Tax Duplicate and changed to Block 65 Lot 22 Q Farm, however the book was printed without the change; and,

**WHEREAS**, David Marx has paid the amounts billed on Block 65 Lot 16 Q Farm in error for the first three quarters of the current year totaling \$277.84; and,

**WHEREAS**, the Tax Collector and Tax Assessor are requesting that the amount billed on Block 65 Lot 16 Q Farm in the amount of \$368.31 be canceled from the tax records and that Mr. Marx' payments in the amount of \$277.84 be transferred to his property known as Block 65 Lot 22.

**THEREFORE BE IT RESOLVED**, that the Tax Collector be authorized to cancel billed balances from her Tax Collection system on named property in the amount totaling \$368.31 and transferring the amount of \$277.84 to Block 65 Lot 22.

Motion by: Shoemaker

Second by: Facemyer

Aye: Hankins, Facemyer, Shoemaker

Nay:

Absent: Cruzan, Ritter

Abstain:

**HOPEWELL TOWNSHIP RESOLUTION NO. 09-59**  
**CUMBERLAND COUNTY & STATE OF NEW JERSEY**  
**Recommendation of Award of Orchard Crest and Peach Tree Lane**

**BE IT RESOLVED**, by the Township Committee of the Township of Hopewell, County of Cumberland and State of New Jersey hereby recommends to the Commissioner of Transportation that the contract for the Resurfacing of Orchard Crest Drive & Peach Tree Lane be awarded to South State Inc. whose bid amounted to \$98,594.84; and

**Award of Contract**

**WHEREAS**, the Township of Hopewell required competitive bids for Resurfacing of Orchard Crest Drive & Peach Tree Lane resurfacing project on October 14, 2009; and

**WHEREAS**, it is determined that the low bid on the project is the bid of South State Inc. in the amount of \$98,594.84; and

**WHEREAS**, it is further determined that the bid submittal of South State Inc.. is a complying submittal; and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing body of the Township of Hopewell that the Resurfacing of Orchard Crest Drive & Peach Tree Lane project be awarded to South State Inc. in the amount of \$98,594.84; and

**NOW, BE IT FURTHER RESOLVED** that subject to the approval of the Commissioner of Transportation the following actions are approved:

1. That the Presiding officer of this body be and is hereby directed to sign the contract in the prescribed form for said construction, and
2. That the Clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

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

Second by: Shoemaker  
Nay:  
Abstain:

Facemyer, seconded by Shoemaker, moved to send letters to Governor Corzine and District Three Legislators opposing the signage of **Senate Bill No. 1303** which will establish renewable energy as an “inherently beneficial use” for purposes of municipal zoning.

**CORRESPONDENCE & NOTES & FILINGS** include: The Greenwich Tea Burning Chapter of the **National Society of the Daughters of the American Revolution** Sample proclamation, **Upper Deerfield Township Environmental Commission** invitation to Cohansey Watershed Meeting (October 20), **Alloway Township** Notice of Recycling and Disposal Ordinance Amendment, **GovConnect** New Items Update, **Fralinger Engineering** Reorganization Letter, **Cumberland County Planning and Development** Open Space Plan Contact List, **DCA** 94<sup>th</sup> Annual Conference Presentations, **The Ritter Law Office** J.S. Hovnanian & Sons, LLC Status Conference Notification (October 15), Crestridge Drive Drainage Easement Meeting Notice, **NJLM** Federal H1N1 Resources, Changes to the New Jersey Division of Local Government Website, Notice of Proposed Membership Dues, 18<sup>th</sup> Annual Mayors’ Legislative Day Invitation, OPRA Suit Information Requested, **CDC** Trick or Treat Hours News Release, **United Way of Greater Cumberland County** 2009-2010 Kickoff Invitation, **BACC** Salute to Business & Industry Registration Request.

At 8:29pm Shoemaker, seconded by Facemyer, moved the meeting into **EXECUTIVE SESSION** for the purpose of discussing litigation.

At 8:57pm the meeting was returned to **Open Session**.

Facemyer, seconded by Ritter, moved to direct the Solicitor to proceed with filing motion to take ownership of 1 Oak Drive as per the **Abandoned Properties Act**. (Approved 3-0)

There being no further business, Facemyer seconded by Shoemaker, motion to **ADJOURN** was approved by all. The Mayor adjourned the meeting at 8:59pm.

**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  
October 14, 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 9/23/09 Regular Meeting (Including Resolutions Passed)

**\*Approval of Minutes** of 9/23/09 Executive Session

**Treasurers Report:**

**DEPARTMENT & COMMITTEE REPORTS:**

**Administrator:** \*Summary of September 29<sup>th</sup> Meeting with Greenwich Township for Convenience Center Contract Renewal

Assessor:

**Clerk:** Executed Lease from the County of Cumberland for Municipal Building Offices, Oct. 13<sup>th</sup> Letters from NJDOT, NJ Senate & General Assembly awarding Hopewell Township \$110,000.00 DOT Grant for the resurfacing of Orchard Crest Drive and Appletree Court.

**Construction Dept:** \*September Permit Report (Total \$3,198.00)

Dog Registrar:

**Convenience Center:** 1162 Permits issued as of 10/13/09

Economic Development:

**Engineer:** Report on October 14<sup>th</sup> bid opening for resurfacing of Orchard Crest Drive and Peach Tree Lane.

Environmental Commission:

Fire Dept. (Cruzan)

**Insurance:** (Shoemaker) Workers' Compensation premium credit due after changes of classification for committeemen, inspectors, etc.

Public Works/Road:

**Planning and Zoning Boards:** \*Minutes of the September 16<sup>th</sup> Meeting

**Tax & Sewer Collector:** \*September Cash Book Report \$251,011.81 incl. interest and \$12,648.01 sewer

Senior Center:

**\*Approval of bills:** Total Bills **\$37,804.60** on Treasurers 10/14/09 prepared list.

**Approval of Hankins Bill** (\$362.82)

**Approval of CASA Payroll Expense total** issued for 10/14/09 **\$22,600.90**

**PUBLIC COMMENTS AND QUESTIONS**

**OLD BUSINESS:**

**COAH:** (Shoemaker)

**TDR Project:** (Shoemaker)

**Sewer Upgrade Project Report** (T. Ritter)

**Municipal Building Renovation Report** (T. Ritter)

**Route 49 Curve Signage:** \*September 22, 2009 letter from New Jersey Dept. of Transportation Traffic Engineering Bureau

**NEW BUSINESS**

**\*Proclamations:** D. David Wilson/Mayhew Farms Salute to Business Awards

**Cohansey Clash Soccer Team** Clean Communities Clean-up Request

**Cohansey Comets U9 soccer team** Clean Communities Clean-up Request

**Star Bounders Booster Club** Clean Communities Clean-up Request

**Discussion:** Contract for Employee Appreciation Dinner (Monday, December 7)

**\*Tax Abatement Application:** Green Olive Properties, LLC

**Discussion:** \*Ordinance No. 09-05 Property Maintenance

**Discussion:** \*Ordinance No. 09-XX to supplement Section 4.16 (Permits) of the Development Ord.

**\*Resolution No. 09-58** To Cancel Taxes Due When Property Has Been Deleted

**\*Resolution No. 09-59** Award of Contract for Resurfacing Orchard Crest Dr. and Peach Tree Lane

**CDC:** (Mayor) Opposition to Sen. Bill 1303

**CORRESPONDENCE & NOTES & FILINGS** include: The Greenwich Tea Burning Chapter of the **National Society of the Daughters of the American Revolution** Sample proclamation, **Upper Deerfield Township Environmental Commission** invitation to Cohansey Watershed Meeting (October 20), **Alloway Township** Notice of Recycling and Disposal Ordinance Amendment, **GovConnect** New Items Update, **Fralinger Engineering** Reorganization Letter, **Cumberland County Planning and Development** Open Space Plan Contact List, **DCA** 94<sup>th</sup> Annual Conference Presentations, **The Ritter Law Office** J.S. Hovnanian & Sons, LLC Status Conference Notification (October 15), Crestridge Drive Drainage Easement Meeting Notice, **NJLM** Federal H1N1 Resources, Changes to the New Jersey Division of Local Government Website, Notice of Proposed Membership Dues, 18<sup>th</sup> Annual Mayors' Legislative Day Invitation, OPRA Suit Information Requested, **CDC** Trick or Treat Hours News Release, **United Way of Greater Cumberland County** 2009-2010 Kickoff Invitation, **BACC** Salute to Business & Industry Registration Request.

**Solicitor's Report:** 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**