

HOPEWELL TOWNSHIP COMMITTEE
MINUTES OF THE REGULAR MONTHLY MEETING
October 28, 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, Cruzan, Ritter. Others: Assistant Sol. Matthew Ritter, Sol. T. Henry Ritter, A. Clerk E. Daddario, Treasurer Lois Buttner. Others: Tom Tedesco, Zarko Rajacich and Planning Board Member Alfred Caggiano, Jr.

Shoemaker, seconded by Facemyer, moved for **Approval of Minutes** of 10/14/09 Regular Meeting. (Including Ordinance and Resolutions Passed). Approved (3-0) Abstain: Cruzan, Ritter

Shoemaker, seconded by Facemyer, moved for **Approval of Minutes** of 10/14/09 Executive Session Meeting. Approved (3-0) Abstain: Cruzan, Ritter

Assistant Solicitor Matthew Ritter conducted an **Advertised Bid Opening** for a **2010 4x4 Regular Cab Pick-up Truck with Snow Plow**. Five bids were received and opened.

Shoemaker, seconded by Facemyer, moved to forward the bids to the solicitor for further review and recommendation.

Treasurer Buttner distributed a package of reports. Facemyer, seconded by Cruzan, moved to approve the **Treasurers Report of Account Balances** 10/28/09 as submitted. Approved (5-0).

DEPARTMENT & COMMITTEE REPORTS:

Administrator, as directed, referred an ordinance to the planning board requiring inspection of non-residential property when a change of ownership, occupant or use occurs. The planning board will review the ordinance and make recommendations to the Township Committee.

Clerk distributed copies of a letter sent to Governor Corzine and District 3 State Legislators in Opposition to Sen. Bill #1303. Notification of receipt was acknowledged from the Governor's Office. Also distributed was a copy of the Bostwick Lake 2009 Budget. **Convenience** Center reported 1164 permits issued as of 10/25/09. Cruzan presented a **Fire Department** request for replacement of the radio on #2102 Pumper.

Cruzan, seconded by Ritter, moved to approve the state contract purchase of a **Motorola PM1500 Mobile Radio** for \$2,534.15, subject to approval by the Stow Creek Township Committee.

Insurance: The 2010 renewal information forms should be received this week from Colson and Gosweiler, with the renewal packet expected in November.

A bill list dated 10/28/09 prepared by Treasurer Buttner was provided. Ritter, seconded by Facemyer, motion for **Approval of bills** totaling **\$478,781.55** on this prepared list was approved (5-0).

Ritter, seconded by Facemyer, motion for **Approval of CASA Payroll Expense total** issued for 10/28/09 **\$18,615.64** 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 7:50pm, Ritter, seconded by Cruzan, moved the meeting to **OLD BUSINESS**.

COAH: Shoemaker reported that Philip Caton was not very optimistic about the township's approval of the Local Government Greenhouse Gas Reduction Grant application for funds needed to complete the TDR Plan submission. Projects that are "ready to go" seem to have priority in receiving these funds. Mr. Caton suggested that the township contact Secretary of Agriculture, Douglas Fisher and Senator Stephen Sweeney to see if municipalities who are further along in the TDR process could receive more favorable consideration for approval.

The township engineer advised that Bid Specifications for the **Sewer Upgrade Project** should be completed before the next Township Committee Meeting.

NEW BUSINESS

Ritter, seconded by Shoemaker, motion to approve a **Clean Communities Application** submitted by the **Cumberland Regional High School Swim Team**, was approved by all.

At 7:53pm Shoemaker, seconded by Facemyer moved to open the **Public Hearing** for **Ordinance No. 09-05A: Requiring the Maintenance of Properties**

There being no public comment, at 7:55pm Facemyer, seconded by Ritter, moved to close the Public Hearing. Approved (5-0)

The following ordinance was final adopted:

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 effect 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

Aye: Hankins, Ritter, Shoemaker, Cruzan, Facemyer

Absent: None

Second by: Ritter

Nay: None

Abstain: None

The following resolution was approved:

RESOLUTION NO 09-60
HOPEWELL TOWNSHIP COUNTY OF CUMBERLAND
COOPERATIVE PRICING SYSTEM AUTHORIZATION
FOR PURCHASING AGREEMENT TO PROVIDE ROCK SALT

WHEREAS, The Township Committee of the Township of Hopewell, Cumberland County and State of New Jersey agree to be part of the Cumberland County Cooperative Pricing System Contract for Supplying and Delivering Rock Salt; and

WHEREAS, The Cooperative Pricing System Contract has been awarded by Cumberland County to Mid Atlantic Salt, LLC., P.O. Box 353, Gladwyne, PA for the period 08/01/2009 to 7/31/2010 for providing and delivering Rock Salt , at the contract price of \$67.20 per ton; and

BE IT RESOLVED, by the Township Committee of the Township of Hopewell, in Cumberland County that the Township enters into an agreement with Mid Atlantic Salt, LLC. as contracted with by the County Freeholders as a result of formal bidding to obtain Rock Salt for the purpose of salting roads and preventing snow and ice conditions.

BE IT FURTHER RESOLVED that the Mayor and / or Administrator of Hopewell Township are hereby authorized to negotiate and execute the documents required to implement a specific purchasing agreement for this purpose.

Motion by: Facemyer

Aye: Hankins, Cruzan, Facemyer, Ritter, and Shoemaker

Absent: None

Second by: Ritter

Nay: None

Abstain: None

CORRESPONDENCE & NOTES & FILINGS include: **Cumberland County Utilities Authority** September 17th Meeting Minutes, September 2009 Monthly User Charge Flow and Loading Report (Projected Credit Adjustment \$4,778.81), **Cumberland County Planning Department** County Open Space & Recreation Plan Request for Proposal, **Cumberland Development Corporation** October 26 Meeting Notice, **NJLM** EECBG Stimulus Funding Opportunity website information, Bills Signed by Governor, Request for action on Mandates Relief, Important Conference Sessions (COAH) Thursday, November 19th, **NJ Department of the Treasury** Division of Pensions and Benefits approval of Accidental Death Benefits for Brenda Hildreth.

Solicitor's Report: Assistant Solicitor Matthew Ritter updated the committee on the status of the Lovell Suit. The Notice of Motion to Declare the Property Abandoned is in draft form and should be filed within one week. The motion will include declaring the property abandoned, transferring possession to the township, permitting the township to file a rehabilitation plan, permitting appraisal and sale of same to a third party and establishing township expenses as an additional municipal lien.

There being no further business, Shoemaker, seconded by Ritter, motion to **ADJOURN** was approved by all. The Mayor adjourned the meeting at 8:05pm.

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 28, 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:

7:30 Bid Opening: Pick-up Truck

***Approval of Minutes** of 10/14/09 Regular Meeting (Including Ordinance and Resolutions Passed)

***Approval of Minutes** of 10/14/09 Executive Session

Treasurers Report:

DEPARTMENT & COMMITTEE REPORTS:

Administrator: Ordinance referred to planning board requiring inspection of non-residential property when a change of ownership, occupant or use occurs.

Assessor:

Clerk: *Letter to Governor and State Legislators in Opposition to Sen. Bill 1303. Notification of receipt acknowledged. *Bostwick Lake 2009 Budget.

Construction Dept:

Dog Registrar:

Convenience Center: 1164 Permits issued as of 10/25/09

Economic Development:

Engineer:

Environmental Commission:

Fire Dept. (Cruzan) Request for replacement of radio on #2102 Pumper (\$2,534.15)

Insurance: (Shoemaker) 2010 Request from agent for Renewal Information due this week, Renewal Packet expected in November.

Public Works/Road:

Planning and Zoning Boards:

Tax & Sewer Collector:

Senior Center:

***Approval of bills:** Total Bills **\$478,781.55** on Treasurers 10/28/09 prepared list.

Approval of CASA Payroll Expense total issued for 10/28/09 **\$18,615.64**

PUBLIC COMMENTS AND QUESTIONS

OLD BUSINESS:

COAH: (Shoemaker)

TDR Project: (Shoemaker)

Sewer Upgrade Project Report (T. Ritter)

Municipal Building Renovation Report (T. Ritter)

NEW BUSINESS

Cumberland Regional High School Swim Team Clean Communities Clean-up Request

Public Hearing Ordinance No. 09-05A

***Ordinance No. 09-05A:** Property Maintenance

***Resolution No. 09-60:** Cooperative Pricing System Authorization for Purchasing Agreement to Provide Rock Salt

CDC: (Mayor)

CORRESPONDENCE & NOTES & FILINGS include: **Cumberland County Utilities Authority** September 17 Meeting Minutes, September 2009 Monthly User Charge Flow and Loading Report (Projected Credit Adjustment \$4,778.81), **Cumberland County Planning Department** County Open Space & Recreation Plan Request for Proposal, **Cumberland Development Corporation** October 26 Meeting Notice, **NJLM** EECBG Stimulus Funding Opportunity website information, Bills Signed by Governor, Request for action on Mandates Relief, Important Conference Sessions (COAH) Thursday, November 19th, **NJ Department of the Treasury** Division of Pensions and Benefits approval of Accidental Death Benefits for Brenda Hildreth.

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