

FEBRUARY 12, 2014

The monthly business meeting of the Hope Township Committee convened at 7:00 P.M. at the Hope Township Municipal Building with the following members present: Mayor Timothy McDonough, Deputy Mayor George Beatty, and Committeeman John Koonz. Also present was the Municipal Clerk, Mary Pat Quinn, and the Township Engineer, Ted Rodman.

Under the provisions of the "Open Public Meetings Act", adequate notice of the meeting had been provided by publishing notice in The Express Times and The Star Gazette and by posting notices in the Hope Post Office and on the Township bulletin boards all on January 11, 2013 and January 18, 2013.

RECEIPTS

The receipts list was read by Koonz, who noted those amounts over \$100.00. The total receipts during January, 2014 were \$320,064.66.

BILLS

The bill list was read by Beatty, who noted those amounts over \$100.00. A motion was made by Koonz, seconded by Beatty authorizing the payment of the bills totaling \$765,535.32. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

A bill payable to Engel Towing, Inc. in the amount of \$175.00 was ordered paid on a motion made by Beatty, seconded by McDonough. Committee polled: Beatty-yes; Koonz-abstain; McDonough-yes.

APPROVAL OF MINUTES

The minutes of the reorganization/business meeting on January 8, 2014 were approved as circulated on a motion made by Beatty, seconded by Koonz. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

The minutes of the work meeting on January 22, 2014 were approved as circulated on a motion made by Beatty, seconded by Koonz. Committee polled: Beatty-yes; Koonz-yes; McDonough-abstain.

PUBLIC – USE OF COMMUNITY CENTER

Frank DeHerde, a resident of Hope, asked for clarification on the procedure for the use of the Community Center by young adults. Beatty explained that since all young adults are not the same, the governing body has determined that a responsible parent must schedule the use of the Community Center and remain at the Center for the duration of that groups' use. He explained that there has been unauthorized use of the building, unnecessary repairs and fuel oil usage that precipitated the necessity of the policy. He added that the State Police have been advised of the situation, and if there continues to be unauthorized use of the building, the State Police will prosecute the individuals for trespassing. Koonz added that the governing body previously considered closing the building for the winter months.

DeHerde suggested that the Township charge a usage fee or have groups make a deposit. A limit should be placed on the number of people per group. He would like to have the young adults sign for the usage rather than the parents. Scott Siegmeister, a resident of Hope, also spoke in favor of those ideas. McDonough thought that the Township Committee could discuss their suggestions and come up with a policy. The matter was tabled to the next meeting of the governing body.

FEEDBACK – PROPOSED IDENTIFICATION MARKER ORDINANCE

McDonough started the discussion by advising that the Hope Historic Preservation Commission has put a subcommittee together, which will be reaching out to the Hope Historical Society, Hope Area Chamber of Commerce, and H.O.P.E.

Christopher Maier, President of the Hope Area Chamber of Commerce, was present and expressed his group's concerns about the proposed ordinance and questioned what the Township Committee is trying to accomplish. He was displeased that the Chamber was not contacted by the governing body for its input first since the members are the only stakeholders.

Nancy Treible, President of the Hope Historical Society, mentioned that her group had concerns about the signs that are put on the sidewalks.

McDonough urged Maier to have the Chamber of Commerce work with the Historic Preservation Commission, Historical Society and H.O.P.E. to come up with what should be done, how it should be done and should it be done. Maier mentioned that the Chamber asked if there would be a conflict of interest regarding a family member of a governing body member serving on the Historic Preservation Commission subcommittee. A discussion ensued about this.

Terry Urfer, a resident of Hope and member of the Hope Area Chamber of Commerce, asked if the Township Committee would approach the Warren County Economic Development Advisory Council about the availability of grant money to fund the proposed identification marker project. He advised that the Chamber is hosting a luncheon meeting with Dan Hirshberg and invited participation by the Township Committee. McDonough will attend that event.

REPORTS

Chief Financial Officer

The governing body is working with a temporary budget.

Zoning Officer

No report submitted.

Warren County Health Department

Complaints:

416 Main Street – Garbage on the lawn and in the storage shed at the bank-owned property. A reinspection is scheduled.

15 Silver Hill Avenue – Septic overflowing in the rear of the property. A reinspection was conducted. No effluent was observed on the surface of the ground. File closed.

Jenny Jump Park (the pump by the office) – A report of a fuel spill of approximately 8 gallons was received. It was reported that speedy dry had been used to contain the spill and no storm drains were affected. An inspection confirmed this to be accurate. No further action was needed. File closed.

Food Establishment – No activity.

Rabies – One cat exposure reported. Cat was transported to the NJDHSS laboratory for rabies testing. Results were negative.

Kennels – No activity.

Childcare Centers – Pooh's Pre-School Too was inspected and received a satisfactory rating.

Recreational Bathing – No activity.

Youth Camps – No activity.

Campgrounds – No activity.

Septics/Wells – No activity.

Township Engineer

Rodman reported that he prepared and filed with the Clerk, the certification for the speed limit on Shiloh Road.

There is no change in the status of the Distillery project.

Road Department

The Public Works Foreman submits weekly reports, which are on file in the Clerk's office.

Fire Department

No report submitted.

Blairstown Ambulance Corp

No report submitted.

Tax Assessor

No report submitted.

Tax Collector

December, 2013 Tax Collection:

Current Year Taxes	\$100,011.74	\$5,758,809.93 Y-T-D
Delinquent Taxes:		
Taxes – 2012	35.73	53,127.10
Taxes – 2011	.00	250.00
Prepaid 2014 Taxes	41,196.21	60,520.59
Outside Tax Sale Cert Redemption	.00	6,392.28
Tax Sale Premiums	.00	9,500.00
Cost of Sale Fees	820.81	820.81
Interest and Costs	4,194.20	14,296.64
Total Receipts	<u>\$ 146,258.69</u>	<u>\$ 5,903,717.35</u>

Remarks:

Current Year Tax Collection Comparison:

December 2013 to December 2012	+\$ 16,464.14
Year to Date 2013 to Year to Date 2012	+\$ 240,292.69
December 2013 to December 2011	+\$ 29,142.58
Year to Date 2013 to Year to Date 2011	+\$ 189,911.71

(Unaudited)	2013	2012	2011	2010	2009	2008	2007	2006	2005	2004
Y-T-D Collection %'s	98.68	98.08	98.35	98.35	98.44	97.78	98.42	98.31	98.11	98.04

January, 2014 Tax Collection:

Current Year Taxes	\$290,389.03
Delinquent Taxes:	
Taxes-2012	8,726.99
Cost of Sale Fees	131.83
NSF Check Fees	25.00
Interest and Costs	490.50
Total Receipts	<u>\$290,389.03</u>

Remarks:

Current Year Tax Collection Comparison:

January 2014 to January 2013	-\$ 35,360.00
Year to Date 2014 to Year to Date 2013	-\$ 35,360.00
January 2014 to January 2012	-\$52,912.31
Year to Date 2014 to Year to Date 2012	-\$ 52,912.31

Construction Code Official

The following permits were issued during January, 2014: 2-Building, 2-Plumbing, 3-Electrical, 2-Fire for a total income of \$2,534.00.

Mayor McDonough

McDonough reported that he received a call from the White Township Attorney, and they are still interested in joining the Municipal Court of North Warren at Hope. A meeting is scheduled for February 20 between McDonough and representatives of the Administrative Office of the Courts to discuss the matter. The Blairstown Township Attorney contacted the Township Attorney's office, specifically, Michael Lavery and Richard Wenner, to go over the proposed Joint Court Agreement.

Committeeman Koonz

Koonz suggested that the purchased of "Ice-Go" Pellets from ATCO International should be reviewed as there is another State Contract vendor that may be more reasonable. The matter will be discussed during the next budget meeting.

Beatty suggested that the governing body discuss the possibility of replacing the salt shed at budget time.

CORRESPONDENCE

The following communications were received during the month:

1. N. J. Department of Transportation. Re: Lake Just-It Road, Discretionary Aid 2011. The project was inspected and was approved.
2. William G. Gleba, P.E. Re: Acknowledge the Township's request to make Millbrook Road/Walnut Street one way in the northerly direction. The Township was requested to obtain preliminary feedback from residents, businesses and emergency services as a starting point. A copy was given to the Township Engineer.
3. Richard A. Ralph, Esq. Re: Letter requesting that he be reappointed as the Municipal Court Prosecutor for 2014.
4. Raymond E. O'Brien, R.A., Inc. to Mike Ianatelli, Warren County Engineer's Office. Re: Leonardelli Driveway Question/386 Delaware Road. A copy was given to the Township Engineer.
5. The Land Conservancy of New Jersey to Stephanie Miller, State Agriculture Development Committee. Re: Notice that the Hope Township Municipal Planning Incentive Grant does not require any updates this year.

6. N.J. Department of Environmental Protection, Coastal and Land Use Compliance and Enforcement, Highlands Office to Michael Bartone, Esq. for Rui and Rui F. Sousa. Re: Notice of Violation on Block 1000, Lot 3300. A copy was given to the Zoning Officer.
7. Municipal Court of North Warren at Hope. Re: November 2013 Municipal Court Disbursements. A copy was given to the Chief Financial Officer.
8. Pohatcong Township. Re: Resolution urging the legislature to implement a water tax to fund the loss of land equity for property owners in the Highlands Region.
9. Warren County Planning Department. Re: Amendment to the Solid Waste Management Plan. A copy was given to the Hope Environmental Commission.
10. The Land Conservancy of New Jersey. Re: December 2013 Newsletter.
11. N.J. Department of Environmental Protection. Re: Notice of heating oil spill at 3 Birch Ridge Drive.
12. Hope Area Chamber of Commerce. Re: Proposed Identification Marker Ordinance.
13. Michael Lavery, Esq. of Courter, Kobert and Cohen to Hope, Hardwick, Knowlton and Frelinghuysen. Re: Request for feedback about the proposed revised Ordinance for cable television franchise renewal with Service Electric Cable Television.
14. Municipal Court of North Warren at Hope. Re: December, 2013 Municipal Court Disbursements. A copy was given to the Chief Financial Officer.
15. White Township. Re: White Township would like to become a member municipality of the Municipal Court of North Warren at Hope. A copy was given to the Municipal Court of North Warren at Hope.
16. Knowlton Township. Re: Resolution opposing S2369, a proposed act concerning black bears.
17. Washington Township. Re: Resolution in support of a water tax to fund the loss of land equity for property owners in the Highlands Region.
18. Hope Historical Society. Re: Letter concurring with the findings of the Hope Historic Preservation Commission regarding the proposed Identification Marker Ordinance. A copy was given to the Hope Historic Preservation Commission.
19. N.J. Department of Health. Re: Information about radon testing. A copy was given to the Hope Environmental Commission.
20. N.J. Land Conservation Rally. Re: Information regarding the 18th annual New Jersey Land Conservation Rally.

21. Warren County Planning Department. Re: Warren County Data Sheet. A copy was given to the Hope Planning Board, Zoning Board of Adjustment, Environmental Commission, and Historic Preservation Commission.
22. N.J. Transit. Re: Information about available funding for Section 5310 Grant Program.
23. Warren County Health Department to Pacific Gourmet Foods. Re: Unlicensed food vendor. Notice of requirements for food establishments. A copy was given to the Zoning Officer.
24. Michael Lavery, Esq., Courter, Kobert and Cohen. Re: Service Electric Cable Television.

APPOINTMENTS

The following appointments were made for 2014 on a motion made by Koonz, seconded by Beatty: James P. Sloan, Esq., 1st Alternate Municipal Court Prosecutor; William T. Haggerty, Esq., 2nd Alternate Municipal Court Prosecutor; Charles M. O'Connell, Esq., Alternate Municipal Public Defender. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

OLD BUSINESS

Public Hearing/Adoption of Ordinance #14-01, Establish CAP Bank

A motion was made by Koonz, seconded by Beatty to open the hearing to the public for the following Ordinance. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

ORDINANCE #14-01

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

There were no questions or comments from the public. The public hearing was closed on a motion made by Koonz, seconded by Beatty. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

Ordinance #14-01 was adopted on a motion made by Koonz, seconded by Beatty. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

Public Hearing/Adoption of Ordinance #14-02, Establish Speed Limit on Shiloh Road

A motion was made by Koonz, seconded by Beatty to open the hearing to the public for the following Ordinance. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

ORDINANCE #14-02

AN ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY, TO AMEND, REVISE AND REPLACE SECTION 7-26 OF THE HOPE TOWNSHIP CODE TO SET A SPEED LIMIT FOR SHILOH ROAD

There were no questions or comments from the public. The public hearing was closed on a motion made by Koonz, seconded by Beatty. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

Ordinance #14-02 was adopted on a motion made by Koonz, seconded by Beatty. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

Discuss Cable Television Franchise Renewal

No change in status.

Status of Water Supply at Community Center

No change in status.

Discuss Non-Domesticated Pets on Small Lots

The governing body would like to discuss this topic with the Animal Control Officer.

NEW BUSINESS

Introduce Ordinance #14-03, Establish Joint Municipal Court (Hope, Hardwick, Liberty, Blirstown)

The following Ordinance was introduced and passed first reading on a motion made by Koonz, seconded by Beatty. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

ORDINANCE NO. 14-03

AN ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN,
STATE OF NEW JERSEY, DELETING AND REPLACING §2-6 OF THE CODE OF THE TOWNSHIP
OF HOPE, JOINT MUNICIPAL COURT, IN
ORDER TO CREATE A NEW JOINT MUNICIPAL COURT

BE IT ORDAINED as follows:

§ 2-6 of the Code of the Township of Hope, Joint Municipal Court, is hereby deleted in its entirety, and in its place and stead replaced as follows:

Section 1.

2-6 Joint Municipal Court

2-6.1 Creation of Court; Name; Jurisdiction

A. *Creation of Court*

There has been created a Joint Municipal Court consisting of the following members: The Township of Hope, The Township of Liberty, the Township of Hardwick and the Township of Blairstown, all located in Warren County. Court was created by the Shared Services Agreement between the aforesaid municipalities, subject to the terms thereof, and shall have an effective date of March 1, 2014.

B. Name of Court

The name of the Joint Municipal Court shall be the Municipal Court of North Warren at Hope.

C. Effective Date

The effective date for the creation of the Municipal Court of North Warren at Hope shall remain March 1, 2014.

D. Jurisdiction

The Joint Municipal Court will have such jurisdiction as is now, or will hereafter be conferred upon it by the laws and court rules of the State of New Jersey, and the practice and procedure of the Court shall be governed by the laws in such case made and provided in such rules as the Supreme Court will promulgate and make applicable to the Court.

2-6.2 Municipal Judge; Powers; Duties and Qualifications

- (a) There shall be a municipal judge appointed as provided by law in the case of a joint municipal court. A municipal judge shall serve for a term of three (3) years from the date of appointment and until a successor shall be appointed and qualified.
- (b) The municipal judge shall have and possess the qualifications and shall have, possess and exercise all of the functions, duties, powers and jurisdiction conferred by law or ordinance. He/she shall be an attorney at law of the State of New Jersey. The municipal judge shall comply with the Vicinage XIII Municipal Judge Rotation Protocol as per the Vicinage Assignment Judge for all times the municipal judge is unable to sit as such. Any such designation shall be in writing and filed with the court, and any person so designated, while sitting temporarily, shall possess all of the powers of the municipal judge.
- (c) The municipal judge shall faithfully carry out all of the duties and responsibilities of a municipal judge and shall abide by all rules and regulations established for municipal court judges by the Judiciary.

- (d) The municipal court judge shall have full management and authority of court operations excluding the hiring and termination of all court personnel, and for the establishment, pursuant to New Jersey Court Rule 1:30-3, the municipal court sessions and violations bureau hours.

2-6.3 Prosecutor; Administrator; Public Defender; Other Personnel

(a) Municipal Prosecutor

There shall be a municipal prosecutor of the municipal court who shall prosecute cases in the municipal court, except each member, at its discretion, may appoint its own prosecutor for municipal or board of health ordinance violation cases at the sole cost of that member. The municipal prosecutor shall be appointed for a one (1) year term by the Township of Hope. The compensation of the municipal prosecutor shall be determined by the Township of Hope.

(b) Municipal Court Administrator

There shall be an administrator of the municipal court who shall perform the functions and duties prescribed for the administrator by law, by the rules applicable to municipal courts and by the municipal judge. The administrator shall be appointed in accordance with New Jersey Court Rule 1:34-3 by the Township of Hope for a term of one (1) year, subject however, to the tenure provisions as set forth in New Jersey Statute 2A:8-13.3, and considered an employee of the Township of Hope. The compensation of the administrator shall be determined by the Township of Hope. The municipal court administrator shall have the authority granted by law and the Rules of Court to administrators and clerks of courts of record. The administrator's duty shall include, but not be limited to:

1. Carrying out the rules, regulations, policies and procedures relating to the operation of the court.
2. Interviewing and speaking to persons wishing to file criminal or quasi-criminal complaints or wishing information in this regard.
3. Receiving complaints and dispensing information relating to court matters.
4. Maintaining the financial records of the court, including receiving an accounting for fines and costs.
5. Attending court; recording pleas, judgments and dispositions; arranging trial calendars; signing court documents; preparing and issuing warrants and commitments and other court-related documents.
6. Maintaining and classifying records and files of the court.

7. Maintaining, forwarding, receiving and reporting such records, reports and files as required by the appropriate agencies.
8. Carrying out such additional duties as may be required in order to fulfill the duties of court administrator.

(c) Public Defender

There shall be a municipal public defender who shall represent those defendants assigned by the municipal court judge. The municipal public defender shall be appointed for a one (1) year term by the Township of Hope. Compensation of the public defender shall be determined by the Township of Hope.

(d) Deputy Municipal Court Administrator

There may be one or more deputy administrators of the municipal court who shall be appointed by the Township of Hope, provided that funds are provided for such purpose in the municipal court budget. Deputy municipal court administrator shall perform the functions assigned to them by the municipal judge and the municipal court administrator. Any appointment pursuant to this section shall be made in accordance with New Jersey Court Rule 1:34-3.

(e) Necessary Clerical and Other Assistants

There may be appointed such other necessary clerical and other assistants for the municipal court as is necessary for the efficient operation of the municipal court. The Township of Hope shall appoint such clerical and other assistants.

(f) Auditor

The auditor for the Township of Hope shall act as the auditor for the Municipal Court of North Warren at Hope. The auditor shall perform a yearly audit of the municipal court, which audit shall be prepared generally in accordance with the requirements of the Local Fiscal Affairs Law, N.J.S.A. 4A:5-1 et seq. A copy of the complete audit shall be supplied to each participating municipality by September 1 of each year.

2-6.4 Withdrawal by Member; Expansion of Membership

(a) Withdrawal by Member

Any member of the joint municipal court may withdraw at the end of a next calendar year; provided, however, that on or before July 1 the member has given the Municipal Court of North Warren at Hope and each member thereof six (6) months' written notice of its

intention to withdraw. The withdrawing member shall remain responsible for its share (based upon the format established in the Shared Services Agreement) of all court expenses through the date of withdrawing member's actual physical departure from the Joint Court's facility.

(b) Inclusion of Members

The members of the Municipal Court of North Warren at Hope may be expanded by the admission of new members. The admission of new members will take place after the Mayor and Municipal Clerk of Hope Township interview the municipality seeking admission and present to the then existing members of the Joint Municipal Court of North Warren at Hope their recommendations, along with an audit of the three most recent years of the applying municipality's existing court expenses and revenues, and any other information they feel relevant to the admission application. Admission shall be granted upon an affirmative vote of the majority of the then existing members of the Joint Municipal Court of North Warren at Hope. (By way of example: if there are three members of the municipal court, two must vote in favor of the admission). The municipality granted admission to the Joint Municipal Court of North Warren at Hope must adopt a resolution accepting membership and authorizing the execution of the Interlocal Services Agreement. The Interlocal Services Agreement shall be amended as necessary to revise the formula for the allocation of the court's budget between the members.

2-6.5 Budget and Appointments

The municipal judge shall prepare or have prepared a budget for the municipal court which shall be submitted to the governing body of the Township of Hope by November 1 of each year. The budget shall set forth, based on income and expenses for the prior twelve-month period ending September 30th, an estimate of all expenses and revenues for the upcoming calendar year, and shall be in a form that is consistent with municipal budgets. The proposed budget shall be circulated by the Township of Hope to the governing body of every other participating municipality.

2.6.6 Insurance

Insurance coverage and/or bond shall be obtained that protects the joint municipal court and its personnel from claims against them arising out of worker's compensation, bodily injury, property damage, personal injury, civil rights violations or defalcations by court personnel and such coverage as may be necessary, which claims arise in whole or in part from participating members' cases. The coverage may be provided through policies issued to the members and/or through separate policies issues to the joint municipal court.

2.6-7 Contribution Requirement; Revenue Distribution

Improvements to the existing court facility that are required to render the court facility in compliance with state and/or assignment judge mandates shall be undertaken as soon as possible, and the cost for said improvement shall be shared equally by all four municipalities. All other expenses for administering the joint municipal court, including salaries for the judge and court personnel, and costs of materials and equipment for the court, will be shared by all four municipalities in accordance with § 2-6.7 of the enabling ordinance:

- (a) The legally permitted municipal share of all fines, assessments, costs or other charges collected by the court (hereinafter "Municipal Income") shall be forwarded monthly to Hope Township and credited to the court account and applied to the expenses of maintaining and operating the court. The court administration shall simultaneously submit a monthly summary of all income and disbursements to each municipality.
- (b) All other received fines, assessments, court costs and other charges, shall be distributed as required by law.
- (c) To the extent that the annual expenses necessary to maintain and operate the court are the greater or lesser than the Municipal Income received, they shall be allocated among these members pursuant to the following formula: The percentage share of each municipality shall be a total of the fines divided by the amount of the fine generated by that municipality.
- (d) Each municipality shall pay monthly to Hope Township its estimated share of anticipated deficit as established by the budget described in Article 2-6.5 of the Code of the Township of Hope.
- (e) On or about February 1 of each year, Hope Township shall submit to each municipality a final accounting for the prior fiscal/calendar year with any credit due to be applied to future contributions.

2-6.8 Uniform Shared Services and Consolidation Act. The governing bodies of the Township of Hope, the Township of Liberty, the Township of Blairstown and the Township of Hardwick are hereby authorized to enter into a contract with each other embodying the provisions of this ordinance pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., in accordance with the terms of the Act. In the event of any discrepancy between this section and said Act, including any amendments thereto, the Act shall take precedence.

Section 2:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or

invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3. Repealer.

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4. Effective Date.

This Ordinance shall take effect upon final passage and publication.

Resolution #14-16, Professional Service for Township Engineer

The following Resolution was adopted on a motion made by Koonz, seconded by Beatty. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

RESOLUTION #14-16

A RESOLUTION AUTHORIZING THE AWARD OF A
NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES
FROM NORTON B. "TED" RODMAN, P.E. OF RODMAN ASSOCIATES

WHEREAS, the Township of Hope has a need to acquire professional services from Norton B. "Ted" Rodman, P.E. of Rodman Associates with offices at 19 Main Street, Blairstown, NJ 07825 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Township of Hope has determined and certified in writing that the value of the acquisition will not exceed \$19,800.00; and

WHEREAS, the anticipated term of this contract is twelve (12) months; and

WHEREAS, Norton B. "Ted" Rodman, P.E. of Rodman Associates has submitted a proposal dated January 1, 2014 indicating they he provide the professional services for the amount of \$19,800.00; and

WHEREAS, Norton B. "Ted" Rodman, P.E. of Rodman Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Norton B. "Ted" Rodman, P.E. has not made any reportable contributions to a political or candidate committee in the Township of Hope in the previous one year, and that the contract will prohibit Norton B. "Ted" Rodman, P.E. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Hope has provided certification of the availability of funds in accordance with N.J.A.C. 5:30-5.4.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hope authorizes the Mayor, Timothy C. McDonough to enter into a contract with Norton B. "Ted" Rodman as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution;

BE IT FURTHER RESOLVED that Norton B. "Ted" Rodman, P.E. agrees to incorporate into this contract the mandatory language of subsection 3.4(a) of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the contractor or subcontractor agrees to comply with the terms, provisions and obligations of said subsection 3.4 (a) provided that said subsection shall be applied subject to the terms of subsection 3.4 (d) of said Regulations; and

WHEREAS, the parties to this contract agree to incorporate into this contract the mandatory language of section 5.3 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127 as amended and supplemented from time to time and the contractor or subcontractor agrees to comply with the terms, provisions and obligations of said section 5.3.

BE IT FURTHER RESOLVED that the Municipal Clerk is directed to publish notice of this action in the legal section of The Star Gazette.

Resolution #14-17, Professional Service for Township Attorney

The following Resolution was adopted on a motion made by Koonz, seconded by Beatty. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

RESOLUTION #14-17

A RESOLUTION AUTHORIZING THE AWARD OF A
NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES
FROM MICHAEL SELVAGGI, ESQ. OF
COURTER, KOBERT AND COHEN, P.C.

WHEREAS, the Township of Hope has a need to acquire professional services from Michael S. Selvaggi, Esq. of Courter, Kobert and Cohen, P.C. with offices at 1001 Route 517, Hackettstown, NJ 07840 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Township of Hope has determined and certified in writing that the value of the acquisition will not exceed \$13,000.00 for general legal services; and

WHEREAS, the anticipated term of this contract is twelve (12) months; and

WHEREAS, Michael S. Selvaggi, *Esq.* of Courter, Kobert and Cohen, P.C. has submitted a proposal dated January 1, 2014 indicating he will provide the professional services for the amount of \$12,000.00; and

WHEREAS, Michael S. Selvaggi, *Esq.* has completed and submitted a Business Entity Disclosure Certification which certifies that Michael S. Selvaggi, *Esq.* of Courter, Kobert, Cohen, P.C. has not made any reportable contributions to a political or candidate committee in the Township of Hope in the previous one year, and that the contract will prohibit Michael Selvaggi, *Esq.* from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Hope has provided certification of the availability of funds in accordance with N.J.A.C. 5:30-5.4.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Hope authorizes the Mayor, Timothy C. McDonough to enter into a contract with Michael S. Selvaggi, *Esq.* as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution;

BE IT FURTHER RESOLVED that Michael S. Selvaggi, *Esq.* agrees to incorporate into this contract the mandatory language of subsection 3.4(a) of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the contractor or subcontractor agrees to comply with the terms, provisions and obligations of said subsection 3.4 (a) provided that said subsection shall be applied subject to the terms of subsection 3.4 (d) of said Regulations; and

WHEREAS, the parties to this contract agree to incorporate into this contract the mandatory language of section 5.3 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127 as amended and supplemented from time to time and the contractor or subcontractor agrees to comply with the terms, provisions and obligations of said section 5.3.

BE IT FURTHER RESOLVED that the Municipal Clerk is directed to publish notice of this action in the legal section of The Star Gazette.

Resolution #14-18, Mutual Aid and Assistance Agreement

The following Resolution was adopted on a motion made by Koonz, seconded by Beatty. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

RESOLUTION #14-18

RESOLUTION AUTHORIZING MEMBERSHIP IN A MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS

WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies, police, fire departments, EMS organizations and Fire Districts are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President, in Homeland Security Directive (HSPD-5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, "The New Jersey Civilian Defense and Disaster Control Act" App. N.J.S.A. 9-33 et. Seq, provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency; and

WHEREAS, The Director of the division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act," N.J.A.C. 52: 14E-11 et. seq., commonly referred to as the "Fire Service Resource Emergency Deployment Regulations" N.J.A.C. 5:75A et. seq.; and

WHEREAS, it is deemed to be in the best interests of the residents of this municipality to enter into a mutual aid and assistance agreement with the County of Warren and other municipalities including but not limited to, municipal police, fire department and EMS organizations to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hope in the County of Warren, New Jersey as follows:

- A. That Township of Hope is hereby authorized and directed to enter into Warren County Mutual Aid and Assistance Agreement between Participating Units, a copy of which is attached hereto and made part hereof, on the terms and conditions contained herein.
- B. That the Mayor and Municipal Clerk of the Township of Hope are hereby authorized and directed to execute said Mutual Aid and Assistance Agreement on behalf of the Township of Hope
- C. That the Municipal Clerk is hereby authorized and directed to forthwith file a certified copy of this Resolution and an executed copy of the Agreement with the Warren County Department of Public Safety, Office of Emergency Management. Said Office shall serve as

the central repository and shall maintain a master listing of all Participating Units to the Mutual Aid and Assistance Agreement.

Resolution #14-19, Amusement Games & Arcade License Applications for Land of Make Believe

Resolution #14-19 was tabled until a determination is made by the Township Attorney regarding the State requirement for a background check.

Warren County Mosquito Extermination Commission – Aerial Mosquito Control

A motion was made by Koonz, seconded by Beatty to authorize the Mayor to execute the agreement between Hope Township and the Warren County Mosquito Extermination Commission for permission to perform aerial applications of pesticides for mosquito control over certain areas of Hope Township. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

PUBLIC

There were no other questions or comments from the public.

The meeting was adjourned at 8:30 P.M. on a motion made by Koonz, seconded by Beatty. The motion was carried.

Respectfully submitted:

Mary Pat Quinn
Municipal Clerk