

JUNE 24, 2015

A special work meeting of the Hope Township Committee convened at 4:00 P.M. at the Hope Township Municipal Building with the following members present: Mayor Timothy McDonough, Deputy Mayor George Beatty (arrived at 4:10 P.M.) and Committeeman John Koonz. Also present was the Municipal Clerk, Mary Pat Quinn.

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 by posting notices in the Hope Post Office and on the Township bulletin boards all on June 18, 2015.

Review Information from Township Attorney, re: Noise Ordinance

A motion was made by Koonz, seconded by McDonough to introduce the following Ordinance. Committee polled: Beatty-absent; Koonz-yes; McDonough-yes.

ORDINANCE #15-05

ORDINANCE OF THE TOWNSHIP HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND, REVISE, AND SUPPLEMENT CHAPTER 20 "ZONING", SECTION 4 "GENERAL REGULATIONS", ORDINANCE 20-4.5a "NUISANCES:OPEN STORAGE: SIDEWALKS DISPLAYS" OF THE CODE OF THE TOWNSHIP OF HOPE TO PROHIBIT CERTAIN NUISANCES

WHEREAS, the Committee of the Township of Hope, County of Warren, State of New Jersey, has determined that Chapter 20, "Zoning," Section 4, General Regulations, Ordinance 20-4.6a "Nuisances: Open Storage: Sidewalk Displays" of the Code of the Township of Hope must be amended, revised, and supplemented to lawfully enable the Township to prohibit certain nuisances.

WHEREAS, the Committee of the Township of Hope, County of Warren, State of New Jersey, believes that the amendment, revision, and supplementation of the aforesaid ordinance is in the best interests of the Township and will protect the public health, safety and welfare of its citizens.

NOW, THEREFORE, BE IT ORDAINED by the Committee of the Township of Hope, County of Warren, State of New Jersey that Chapter 20, "Zoning," Section 4 General Regulations, Ordinance 20-4.6a "Nuisances: Open Storage: Sidewalk Displays" of the Code of the Township of Hope shall be amended, revised, and supplemented to read as follows:

20-4.6 – Nuisances: Open Storage: Sidewalk Displays

- a. Noise Prohibited: It shall be unlawful for a person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which does or is likely to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others. Specifically exempted hereunder is noise presumed not to be a nuisance pursuant to the Right to Farm Act, N.J.S.A. 4:1C-1 et seq.

1) Definition of Noise: Without trying to limit the generality of 20-4.6(a), the following acts are hereby declared to be examples of loud, disturbing, and unnecessary noise in violation of this section:

(i) Radios; Televisions; Phonographs. The playing, use, or operation of any radio, receiving set, television, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet, and comfort of neighboring inhabitants or with louder volume than is necessary for convenient hearing for persons who are in the room, vehicle, or chamber in which the machine or device is operated and who are voluntary listeners. The operation of such a set, instrument, phonograph, machine, or device so that it is clearly audible at a distance of one hundred (100') feet from the building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this section.

(ii) Yelling; Shouting. Yelling, shouting, hooting, whistling, or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place, which annoys or disturbs the quiet, comfort, or repose of any persons in any office, dwelling, hotel, motel, or other type of residence or of any person in the vicinity.

(iii) Animals; Birds. The keeping of animals or birds which, by causing frequent or long continued noise, disturbs the comfort or repose of any person in the vicinity; but nothing herein contained is intended to apply to a dog pound or kennel licensed in accordance with Section 5-2 of these ordinances.

(iv) Horns. The sounding of a horn or warning device on an automobile, motorcycle, bus, or other vehicle except when required by law, or when necessary to give timely warning of the approach of the vehicle, or as a warning of impending danger to persons driving other vehicles or to persons on the street. No person shall sound a horn or warning device on an automobile, motorcycle, bus or other vehicle which emits an unreasonable loud or harsh sound, or for an unnecessary or unreasonable period of time.

2) Penalties. Section 1-5 hereof of the General Code, "General Penalty," shall apply.

The Clerk was directed to forward the Ordinance to the Hope Planning Board for its review and recommendations.

Appoint Michael L. Novak, Alternate Municipal Court Attendant (part-time)

A motion was made by Koonz, seconded by McDonough to appoint Michael L. Novak as a part-time Alternate Municipal Court Attendant. Committee polled: Beatty-absent; Koonz-yes; McDonough-yes.

Close out 2014/15 Municipal Alliance Grant

The following vouchers were approved for payment on a motion made by Koonz, seconded by McDonough. Committee polled: Beatty-absent; Koonz-yes; McDonough-yes.

Hope Township School	Supplies for Art Department	\$ 93.00
Swift Print Solutions, LLC.	Calendars	\$529.00
White Township School	Red Ribbon supplies	\$748.00

Use of Facility Request from Literacy Volunteers of New Jersey

A request for the use of the Hope Community Center on Tuesdays from 4:00 to 6:00 P.M. was received from Paul Hartunian on behalf of the Literacy Volunteers of New Jersey. Mr. Hartunian was asked to provide English language tutoring to an individual with relatives in Hope. The governing body discussed the request and determined that it would be more cost effective to offer the meeting room of the Hope Municipal Building as an alternative from 5:00 to 7:00 P.M. on Tuesdays when the Tax Collector holds office hours. Hartunian will check with his student about this time and location and get back to the Clerk.

Discuss solutions to Livestock Running at Large

Alan DeCarolis, the Animal Control Officer, attended the meeting to discuss the problems that he is having with habitual cases of livestock running at large. He recommended that the governing body consider an amendment to the Animal Control Ordinance to prohibit livestock running at large. The Ordinance from Hampton Township, (Sussex County), New Jersey was reviewed. The Clerk was directed to forward the information to the Township Attorney for his preparation of an ordinance.

Executive Session, re: Anticipated Litigation and Contract Negotiation

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

EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Township Committee of the Township of Hope has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public,

WHEREAS, the regular meeting of this Committee will reconvene.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Hope will go into closed session for the following reason as outlined in N.J.S.A. 10:4-12: Any pending or anticipated litigation or contract negotiation.

The executive session was concluded on a motion made by Koonz, seconded by Beatty. Committee polled: Beatty-yes; Koonz-yes; McDonough-yes.

Resolution #15- 38, Authorize Township Attorney to prepare Declaratory Judgment Action

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

RESOLUTION #15-38

RESOLUTION AUTHORIZING THE TOWNSHIP OF HOPE ATTORNEY AND OTHER TOWNSHIP PROFESSIONALS TO PREPARE AND FILE A DECLARATORY JUDGMENT ACTION FOR THIRD ROUND MT. LAUREL COMPLIANCE AND IMMUNITY AND AUTHORIZING OTHER TOWNSHIP PROFESSIONALS AND OFFICIALS TO TAKE SUCH ACTIONS AS MAY BE APPROPRIATE TO IMPLEMENT AN UPDATE TO THE TOWNSHIP OF HOPE HOUSING PLAN ELEMENT OF THE MASTER PLAN AND FAIR SHARE PLAN FOR THIRD ROUND MT. LAUREL COMPLIANCE, TO UNDERTAKE A SURVEY OF ALL VACANT AND UNDEVELOPED LAND IN THE TOWNSHIP OF HOPE BY BLOCK AND LOT, TO CONDUCT AN ANALYSIS OF THE TOWNSHIP'S HOUSING STOCK, AND TO CONDUCT SUCH OTHER STUDIES AS MAY BE DETERMINED NECESSARY.

WHEREAS, the Township of Hope submitted its Petition for Substantive Certification on December 31, 2008, which was deemed administratively complete by COAH on January 16, 2009, and

WHEREAS, March 7, 2009, was the deadline for public comment; and

WHEREAS, on March 10, 2015 the New Jersey Supreme Court issued an order eliminating the administrative processes afforded municipalities by the Fair Housing Act N.J.S.A. 52:27D-301 *et. seq.*, effective June 8, 2015; and

WHEREAS, the New Jersey Supreme Court provided for a thirty day window after June 8, 2015, during which time many municipalities will be able to file declaratory judgment actions in Superior Court to obtain, in practical effect, a judicial version of the substantive certification they had either received or applied for under N.J.S.A. 52:27D-313; and

WHEREAS, throughout and notwithstanding the period of uncertainty over new Third Round Rules, the Township of Hope has continued efforts to provide for low and moderate income housing opportunities in the Township.

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

1. Township Attorney Michael Selvaggi, along with members of his firm, is authorized to prepare and file a Declaratory Judgment action in the Superior Court on behalf of the Township seeking a judgment of compliance with the Township's Third Round affordable housing obligation and also seeking an order of immunity from Mt. Laurel builder remedy lawsuits during the process of adopting

and filing the Housing Plan Element and Fair Share Plan with the Court as well as during the period of Court review of the Township's plan and all implementing ordinances.

2. Township Attorney Michael Selvaggi, Township Planner Fred Heyer and Township Engineer Ted Rodman along with members of their respective firms are authorized to take such as actions as may be appropriate to further both the preparation and implementation of the updated Housing Plan Element of the Township of Hope Master Plan and Fair Share Plan for Third Round Mt. Laurel Compliance, to undertake a survey of all vacant and undeveloped land in the Township of Hope by block and lot, to conduct an analysis of the Township's housing stock, and to conduct such other studies as may be determined necessary.

3. Proposals for these plans and studies shall be submitted in advance for review and approval by the Township Committee and/or the Land Use Board.

4. This Resolution shall take effect immediately.

Resolution #15-39, Authorize Professional Service for Appraisals of B-5200, L-1100

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

RESOLUTION #15-39

A RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES CONTRACTS FOR THE PREPARATION OF TWO APPRAISALS TO SADC STANDARDS OF PROPERTY KNOWN AS BLOCK 5200, LOT 1100 IN THE TOWNSHIP OF HOPE

WHEREAS, there exists a need for appraisal services to be rendered to the Township of Hope in the possible acquisition of a Farmland Easement on certain real property located within the Township of Hope; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the appraisals must be completed in accordance with the specifications of the State Agriculture Development Committee; and

WHEREAS, The Township wishes to retain the services of Landmark I Appraisal, LLC in accordance with its proposal letter dated May 19, 2015 and Robert F. Heffernan Associates, in accordance with its proposal letter dated May 6, 2015, and;

WHEREAS, the Committee wishes to award a contract in an amount not to exceed \$1,850 for Landmark I Appraisal, LLC and a second contract in an amount not to exceed \$1,825 for Robert F. Heffernan Associates, and the Chief Financial Officer has certified that funds are available for this purpose;

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

1. The Township of Hope hereby awards and authorizes Landmark I Appraisal, LLC, to perform the appraisal report on the above-referenced property in accordance with SADC standards, for an amount not to exceed \$1,850.
2. The Township of Hope hereby awards and authorizes Robert F. Heffernan, to perform the appraisal report on the above-referenced property in accordance with SADC standards, for an amount not to exceed \$1,825.
3. The Township Clerk is hereby authorized and directed to publish a copy of this resolution in the Township's official newspaper and to provide a copy of this resolution to the Chief Financial Officer and The Land Conservancy of New Jersey.

Request from Sharon Almanza for contribution toward National Youth Leadership Forum

Sharon Almanza, a Hope Township student, advised the Mayor that she has been nominated to represent Belvidere High School and the community at the National Youth Leadership Forum: National Security – Diplomacy, Intelligence and Defense in Washington, DC. She asked for contributions toward her participation cost to attend the program. The governing body authorized \$100.00.

Request from Zoning Board Attorney to appoint Alternate members to the Board

The Clerk advised that she received a phone call from Roger Thomas, the Zoning Board of Adjustment Attorney, earlier that day with a request that the governing body appoint one or two alternates to fill the vacancies on the Board. He referred to the present application (Singh) before the Board and indicated that the appointment of one or two alternates would be helpful. Koonz suggested that the governing body not rush to appoint the alternates since there is a full board at this time. All present agree to wait to see if an alternate(s) would be needed in the future.

Public

There were no questions or comments from the public.

The meeting was adjourned at 5:00 P.M. on a motion made by Koonz, seconded by Beatty. The motion was carried.

Respectfully submitted:

Mary Pat Quinn
Municipal Clerk

