

**JULY 14, 2021  
BUSINESS MEETING**

The Work 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 Christopher John Kruk and Committeeman Terry Urfer. Also present were Municipal Clerk, Robin Keggan, RMC; Deputy Clerk, Zondra Belstra; Don Whitmore, DPW Foreman; Richard Motyka, Tax Assessor and Ted Rodman, Township Engineer.

**FLAG SALUTE AND SUNSHINE STATEMENT**

Under the provisions of the "Open Public Meetings Act", adequate notice of this meeting has been provided by publishing notice in the New Jersey Herald and the Express Times NJ Edition and by posting notices in the Hope Post Office and on the Township Web and Bulletin Boards.

**Roll call: Mr. Urfer- present**

**Mr. Kruk – present**

**Mayor McDonough- present**

**Payment of Bills:** Receipts received for June 2021 \$30,419.43

Bills totaling \$376,946.30 for the month of July. On a motion made by Mr. Urfer; seconded by Mr. Kruk and roll called as follows: Mr. Urfer – yes; Mr. Kruk – yes; Mayor McDonough – yes the bills were approved for payment, with the exception of check no. 13944 (made out to Mr. Urfer). On a separate motion from Mr. Kruk; seconded by Mayor McDonough roll called as follows: Mr. Kruk – yes; Mr. Urfer- abstain; Mayor McDonough – yes check no. 13944 was approved for payment.

**Reports:**

**Tax Collector:** \$83,537.60 June 2021 collections \$3,137,394.54 Y-T-D collections.

**Animal Control:** On file with clerk.

**Municipal Clerk:** Provided an email received from a member of the public regarding the status of mowing around the guiderails. Mr. Kruk read the email into the record. The DPW foreman suggested purchasing a weedwhacker and allowing the part-time DPW staff on payroll to come in and weedwhack the guiderails. Mr. Urfer stated he would handle the situation.

**Municipal Court:** Ms. Keggan distributed the financials from the North Warren Municipal Court prior to the meeting and explained to the Committee how these reports are put together.

**Committeeman Urfer:** Comments pertained to the DPW/Road Department and are typed under that report.

**Township Engineer Report:** Mr. Rodman spoke about the Ridgeway Avenue paving project and the fact that the Resolution would be passed this evening for that and forwarded onto Trenton. A pre-construction meeting is being planned. Also discussed was the importation of soil at 331 Mt. Hermon Road. The Committee must approve this import on the condition of the analytics received from Mr. Rodman on the composition of the soil. Before the Committee can approve this, Mr. Urfer made a motion to receive an accounting on the amount of soil that is being brought in first; seconded by Mr. Kruk. All in favor. The Township Committee also requested that the grant for Hissim Road (2022) be revised to include paving for the entire road (1.8 miles). The clerk stated she would email Mr. Rodman's secretary to make her aware of same.

**DPW/Road Dept:** Mr. Whitmore reported that roadside mowing is ongoing. Old Union Brick Road was discussed with regard to the water running onto a resident's property from the Blairstown side. The

Township attorney in email correspondence to the clerk stated that the Township Engineer should do a report on this in order to address same with Blirstown Township. The swapping of Old Foundry (Township) for Dogwood (County) has been discussed. A letter needs to be submitted by the Township to the County in order to swap these roads out. Mr. Kruk made a motion to send the letter; Mr. Urfer seconded. All in favor.

Hickory Street needs a “no truck sign”.

The fire department standpipe at Swayze will be worked on next week.

Blirstown Township will be spraying our guiderails with pesticides when they go out to spray in their own municipality again. Mr. Miller will be asked to begin looking into getting his pesticide license.

A meeting of the Committee was scheduled for July 30, 2021 at noon with the DPW foreman to drive around and discuss the township roads and their conditions/problem areas. The clerk will advertise same.

Mr. Whitmore also read off his list of what has been accomplished since the last meeting and reported that 19 tons of cold patch have been used to-date to fill potholes.

**Ordinances – Introduction and Read by Title Only:**

**ORDINANCE 2021-07  
CALENDAR YEAR 2021**

**AN ORDINANCE OF THE TOWNSHIP OF HOPE PROVIDING FOR THE APPROPRIATION OF \$45,000.00 FOR ‘2022 FORD F350 REGULAR CAB 4X4 PICK-UP’ FROM THE GENERAL CAPITAL – CAPITAL IMPROVEMENT FUND**

**BE IT ORDAINED** by the Township Committee of the Township of Hope, County of Warren, State of New Jersey, as follows:

1. The sum of **\$45,000.00** shall be appropriated for the following items, from the Capital Improvements Budget for the year 2021

OEM/DPW 2022 Ford F350 Pick-Up Truck - \$45,000.00

2. The sum of \$45,000.00 is available in the Capital Improvement Fund
3. The appropriation herewith does not authorize any debt of the Township of Hope.
4. This Ordinance shall take effect immediately on final passage and publication as provided by law.

Motion: Mr. Urfer  
Second: Mr. Kruk

Roll Call:

Committeeman Kruk: Yes    Committeeman Urfer: Yes    Mayor McDonough: Yes

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced for first reading at a regular meeting of the Township Committee of the Township of Hope held on July 14, 2021 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a meeting of the Township Committee to be held on August 11, 2021 at 7:00P.M., or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 407 Hope-Great Meadows Road, Hope, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

## **Ordinances – Public Session and Adoption**

### **ORDINANCE NO. 2021-06**

#### **AN ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDED CHAPTER 20 “ZONING,” ARTICLE IV “GENERAL REGULATIONS,” SECTION 14 “PROHIBITED USES,” OF THE CODE OF THE TOWNSHIP OF HOPE TO ADD CANNABIS BUSINESSES TO THE LIST OF PROHIBITED USES**

**WHEREAS**, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and,

**WHEREAS**, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and,

**WHEREAS**, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis.
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items.
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees.
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another.
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and,
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the

purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

**WHEREAS**, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and,

**WHEREAS**, Section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and,

**WHEREAS**, Section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and,

**WHEREAS**, pursuant to Section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

**WHEREAS**, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and,

**WHEREAS**, the Township Committee of the Township of Hope has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on the Township of Hope in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of the Township of Hope’s residents and members of the public who visit, travel, or conduct business in the Township of Hope, to amend the Township of Hope’s zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of the Township of Hope; and,

**WHEREAS**, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act’s 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

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

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in the Township of Hope, except for the delivery of cannabis items and related supplies by a delivery service.

2. Chapter 20 “Zoning,” Article IV “General Regulations”, Section 14 “Prohibited Uses,” of the Code of the Township of Hope is hereby amended by adding to the list of prohibited uses, the following: “All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service.”

3. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Hope inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

5. This ordinance shall take effect upon its passage and publication, and as otherwise provided for by law.

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Committee of the Township of Hope held on June 9, 2021 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on July 14, 2021 at 7:00 p.m. or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 407 Hope-Great Meadows Road, Hope, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Motion was made to open to the public for discussion. Mr. Urfer motioned; Mr. Kruk seconded. All in favor. Several members of the public spoke. Each committeeman gave their input and stance on the legalization of cannabis and its impact on Hope Township.

Motion was made to close to the public. Mr. Urfer motioned; Mr. Kruk seconded. All in favor.

**Mayor McDonough called for a motion to be made to approve this Ordinance for passage. Mr. Urfer motioned; Mr. Kruk seconded. Roll call: Mr. Kruk – yes; Mr. Urfer – yes; Mayor McDonough – yes.**

After the approval of the Ordinance for passage, much discussion was had regarding this topic and a possible referendum on the November ballot. The Clerk explained the details of the referendum and the timing of the question/interpretive statement needed in order for this to be on the ballot. Also reiterated that it is non-binding. Several members of the public spoke regarding the potential referendum as well.

**Resolutions:**

**HOPE TOWNSHIP, WARREN COUNTY, NEW JERSEY**  
**RESOLUTION APPROVING SUBMISSION OF A GRANT APPLICATION AND TO EXECUTE**  
**A GRANT CONTRACT WITH NJDOT FOR THE OVERLAY OF HISSIM ROAD, SECTION 1**  
**PROJECT**  
**RESOLUTION 2021-45**

**WHEREAS**, it has become necessary to overlay Hissim Road, Section 1, in Hope Township due to its deteriorating condition; and,

**NOW, THEREFORE BE IT RESOLVED** that the Township Committee of Hope formally approves the grant application for the above-stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2022 Overlay of Hissim Road, Section 1-00081, to the New Jersey Department of Transportation on behalf of Hope Township.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant on behalf of Hope Township and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Motion: Mr. Urfer

Second: Mr. Kruk

Roll Call: Mr. Kruk – yes      Mr. Urfer – yes      Mayor McDonough - yes

**HOPE TOWNSHIP, COUNTY OF WARREN STATE OF NEW JERSEY**  
**RESOLUTION REFUNDING TAX SALE CERTIFICATE 2021-001**  
**THAT WAS REDEEMED**  
**RESOLUTION 2021-46**

**WHEREAS**, the property owned by LJO Global, LLC known as block 1300 lot 500 located at 73 Locust Lake Road had unpaid 2020 property taxes and was sold at a Tax Sale held on 28 January 2021 by the Hope Township Tax Collector; and,

**WHEREAS**, LSG TL Holdings, LLC of 1985 Cedar Bridge Avenue, Suite 1 located in Lakewood, NJ 08701 was the successful bidder of the above stated property. The amount of the Tax Sale consisted of unpaid 2020 property taxes, interest, and other costs, and totaled \$4,136.03 and is represented by Tax Sale Certificate 2021-001; and,

**WHEREAS**, Boston National Title Agency, LLC, agent for the supposed buyer of the property, paid \$8,359.44 on 29 June 2021 to the Hope Township Tax Collector to satisfy the outstanding Tax Sale Certificate, subsequent taxes, and current taxes.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Township Committee of the Township of Hope on this 14<sup>th</sup> day of July 2021 that the Chief Financial Officer be authorized to draw a check payable to LSG TL Holdings, LLC in the amount of \$6,918.97 for the redemption of Tax Sale Certificate 2021-001.

**BE IT FURTHER RESOLVED** that the satisfied executed Tax Sale Certificate 2021-001 be returned to Anju Dhungana at Boston National Title Agency, LLC of 8201 Greensboro Drive, Suite 216 in McLean, VA 22102.

Motion: Mr. Urfer

Second: Mr. Kruk

Roll Call: Mr. Kruk – yes    Mr. Urfer – yes    Mayor McDonough - yes

**TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY  
RESOLUTION AWARDING CONTRACT FOR  
RESURFACING OF RIDGEWAY AVENUE**

**RESOLUTION 2021-47**

**WHEREAS**, the Township of Hope is a member of the Morris County Cooperative Pricing System and wishes to utilize the contract for Road Resurfacing for Ridgeway Avenue, Section 1 and Section 3, and

**WHEREAS**, South State, Inc., Bridgeton, NJ has been awarded Contract #6 for Road Resurfacing and Denville Line Striping Contract #36 and Road Safety Systems, LLC contract #26, all through the Morris County Cooperative Pricing Council of which the Township of Hope is an active participant, and

**WHEREAS**, the Chief Financial Officer has certified that funds are available.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Hope, County of Warren and State of New Jersey that the Road Resurfacing Services for Ridgeway Avenue, Section 1 and Section 3, be awarded to South State, Inc., Bridgeton, NJ, and Denville Line Striping, and Road Safety Systems, LLC. as follows:

**Awarded to South States, Inc. through MCCPC Contract #6**

	Unit Price	QTY	Total
HMA 9.5M64, including tack coat, del/laid/compacted	\$67/ton	1027 T	\$ 68,809.00
Resetting of inlet frames	\$600/Each	7	\$ 4,200.00

**Awarded to Denville Line Striping Contract #36**

4" yellow and white epoxy stripes	\$0.29/LF	12,480 LF	\$ 3,619.20
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**Awarded to Road Safety Systems, LLC Contract #26**

Guide rail to be removed	\$ 7/LF	1070 LF	\$ 7,490.00
New Galvanized Steel Guiderail Installed	\$ 35/LF	1070 LF	\$37,450.00
Tangent Guide rail terminal	\$3,500/Each	11	\$38,500.00

**TOTAL    \$160,068.20**

Motion: Mr. Urfer

Second: Mr. Kruk

Roll Call: Mr. Kruk – yes; Mr. Urfer – yes; Mayor McDonough - yes

**Old Business:**

**Internet** –Optimum and Centurylink had a conference call with Mayor McDonough. Optimum is being held up by Centurylink as they need permission from them to run the cable on their poles.

**Traffic Study** – still a work in progress.

**New Business:**

Mr. Motyka spoke about the tax appeal with First Hope Bank. It was settled with the bank for a credit against their taxes in the third and fourth quarters of 2021. A motion was made to accept this settlement by Mr. Urfer; seconded by Mr. Kruk. Roll call: Mr. Kruk – yes; Mr. Urfer – yes; Mayor McDonough – yes.

Weigh Station Property: NJSP are working diligently for us in the center of town pulling over trucks – all which have been overweight. The municipality is kicking around buying a piece of property to set up a portable scale.

Goose Maintenance at Swayze Mill: Mayor McDonough will call vendor to see if they will provide a trial run.

**Approval of Minutes:** The June 9, 2021 business and June 23, 2021 work meeting minutes were approved on a motion made by Mr. Urfer; seconded by Mr. Kruk. All in favor.

Seeing there was no other business for tonight, this meeting of the Hope Township Committee was adjourned at 9:02 p.m. on a motion made by Mr. Urfer; seconded by Mr. Kruk. Motion carried.

Respectfully submitted,

Robin L. Keggan, RMC  
Municipal Clerk