

**NOVEMBER 13, 2019
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, Don Whitmore and Ted Rodman. Also present were Municipal Clerk, Judith Fisher, RMC; Deputy Clerk Robin Keggan and Events Coordinators Brielle Whitmore and Patti Whitmore.

Under the provisions of the "Open Public Meetings Act", adequate notice of the meeting had been provided by publishing notice in The Star Gazette and The New Jersey Herald and by posting notices in the Hope Post Office and on the Township bulletin boards.

Reports:

Mayor Tim McDonough: The letter that was written up in draft by the Zoning Official for the Inn at Millrace Pond and the noise complaints that the Committeemen have been receiving was discussed. It was determined that the Township Committee would prefer to make a visit and discuss this situation before a letter is sent.

The DCA also approved the Township's \$22,500 Emergency Appropriation (Lake Just-It Road tar and chip) OUTSIDE the CAP.

A tree that has been leaning over on Cemetery Road for quite some time was finally taken down by JCP&L.

Deputy Mayor Christopher John Kruk: The group advocating against the Rock Wall project in Hardwick/ Knowlton Townships approached him about using the fax machine at the municipal building. Mrs. Fisher said that John should direct them to her in Hardwick and she will fax out anything they need sent out.

Baseball/Softball and Soccer Sports Directors are needed. It was determined that the Clerk would post the ad for these positions on the Township's website to run until November 25, 2019. Applicants interested will need to come to the building to fill out an application.

Committeeman Urfer: Drainage issues on Old Union Brick Road were discussed. It was noted that Mr. Urfer has asked several times for any deeds, easements or surveys from Mr. Ayers pertaining to his property so that the Township can address the drainage situation correctly. Mr. Urfer found a copy of the Ayers' deed on line which made reference to a 2016 survey that was done. Corrective action may entail enlargement of pipes across the road to funnel water and a swale to be installed as well. Drainage issues in Silver Lake (Smith Street) were discussed as well. Speed bumps may be used to try to divert the water to the right side of the road for drainage issues. These issues will be dealt with next year as there is no money in the budget this year. It was noted that the owner of Silver Fox Farms (Union Brick Road) is also questioning drainage around his driveway and has asked for the Township to enlarge the pipe that runs under his driveway. It was determined that this is not a Township issue and that the homeowner will need to correct the situation himself.

Open Space Tax was discussed. At budget meetings in 2019, it was approved to reduce the Open Space Tax to 0.0225%. Recently, Mr. Urfer noticed that the rate was erroneously translated to the County in the amount of 0.09%. This will mean that roughly \$22,000.00 will go into Open Space this year. The Township Committee may revisit this at 2020 budget time and decide how best to remedy the situation.

DPW Foreman Don Whitmore: Discussion took place regarding the blower and dump bed that had been earmarked for purchase this year (money set into capital for their purchases). Costs have gone up on them (blower now \$5600; dump bed now \$17,525.00. These items will be revisited for purchase in early 2020 with the funds designated for them carrying over in the 2020 budget and additional funding to be added. Will discuss with the CFO.

One of the 3 snowplows that are in the yard was sold on Munibid on November 8, 2019. The Deputy Clerk sent an invoice to the winning bidder with direction/instructions on how to proceed with payment and pick-up. Winning bidder picked upon on Wednesday, November 13, 2019. Receipt was provided to him and is on file with the clerk's office.

Snowplowing quotes were received by Drake's Landscaping. Mr. Whitmore asked for a quote from Koski's but never received one. A Resolution to award the snowplowing to Drake's will be made at an upcoming meeting. Mr. Skow will be back-up for Mr. Whitmore and Mr. Miller.

Mr. Whitmore also reported that Mr. DeCarolis' van will be getting picked up soon from the municipal garage parking lot. Aspen will be doing the tree lighting lights for us this year. The insurance inspection list is still being worked on by Mr. Whitmore.

Flags on poles also need to come down. The 250th banners will need to be dealt with as well – possibility exists of putting them on Munibid for people interested in purchasing one.

Township Engineer Report: Core test results are still needed from samples taken on Cemetery Road. Once the sample results are in, determination will be made of how best to remedy situation with compromised asphalt/payment/bond. Hardwick and Knowlton have had similar issues with core samples from Tilcon paving jobs.

A storm water management presentation will be made to the Hope Elementary School students on November 14, 2019. This will give points towards certification.

Mr. Montalvo was sent a letter by Mr. Rodman's office on August 29, 2019 with a response deadline of October 31, 2019. To-date, no response has been received. It was determined not to approve the soil import application he has on file with the Zoning Official until DEP makes final determinations. Mr. Montalvo needs to be notified of this decision.

Mr. Belstra received an approval for his soil importation application. Mr. Urfer motioned to waive the fee for this application; Mr. Kruk seconded. Roll Call: Mr. Urfer – yes; Mr. Kruk – yes; Mayor McDonough – yes.

DEP is working on the Campbell Foundry property. The Township will wait until they are done with their work before moving forward with anything else they may need to address. Campbell Foundry has, however, hired Peak Environmental to help with the cleanup of the property. Peak is putting a plan in place for the solid waste that was used as fill.

Payment of Bills: \$836,500.52 – total bills for November 13, 2019. Mr. Kruk motioned to approve all payments except for: payments to himself (check no. 12675). Mr. Urfer seconded. Roll Call: Mr. Kruk – yes; Mr. Urfer - yes; Mayor McDonough – yes. Mr. Urfer motioned for payment to be made to Mr. Kruk; Mayor McDonough seconded. Roll Call: Mr. Kruk – abstain; Mr. Urfer – yes; Mayor McDonough – yes. Receipts for October 2019 - \$52,160.87.

Warren County Health Department: Report on file at Clerk's office. Various updates given regarding septic system installations/alterations/ repairs; food inspections of various businesses and entities in the Township; various complaints investigated by the Warren County Health Department.

Tax Collector: October Report: \$471,604.08 Month \$ YTD \$5,241,044.08.

Fire Department: Month of October 2019 – Total number calls 20 (MVA 10, Medical Assist 2, Vehicle Fire 2, Wire Fire 1, Structure Fire 1, Alarm 1, Odor Invest 1, Chimney Fire 1, Fuel leak 1, Average Attendance: 7; Man Hours 168.96. 4 work nights; Work Night Man Hours 96. Special Details 5. Total Man Hours 40. Total Man Hours for October 2019 – 304.96.

Patti Whitmore: Spoke about the possibility of allowing Ron Raphael to use the grange's kitchen for his personal functions/catering business. In turn he would provide the Township with his services at a discounted rate for anything they might need. The Committee decided that further thought and discussion would need to be given to this. Patti did state that Sharon Cooper, insurance agent, has been made aware of the possibility of this. The water needs a black light installed at the Grange for it to be able to be used. Mr. Kruk stated he would speak to Mr. Maier regarding the use of his parking lot for the Craft Fair overflow parking the first weekend in December.

PROCLAMATION: Proclamation Commemorating School Choice Week was presented to the Township Committee. The Committee is not in support of this and will not be signing it.

ORDINANCE 2019-08: Public Participation and Second Reading:

2019-08 AN ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY, PROVIDING FOR THE APPROPRIATION OF \$10,350.00 FOR 'CAPITAL IMPROVEMENTS - ROAD REPAIRS 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 **\$10,350.00** shall be appropriated for the following items, from the Capital Improvements Budget for the year 2019
Capital Improvements - Road Repairs – Hope Township - \$10,350.00
2. The sum of \$10,350.00 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.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at the regular meeting of the Committee of the Township of Hope held on October 9, 2019 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 held on November 13, 2019, at 7 P.M., or as soon

thereafter as the Township Committee may hear this Ordinance at the Municipal Building, County Route 611, Hope, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Judith Fisher, RMC, Township Clerk

Call for motion to open to public made by Mayor McDonough. Mr. Urfer motioned; Mr. Kruk seconded. All in favor. Opened to public – no comments heard.

Call for motion to close to public made by Mayor McDonough. Mr. Urfer motioned; Mr. Kruk seconded. All in favor. Closed to public.

Motion made by Mr. Urfer; seconded by Mr. Kruk to pass Ordinance 2019-08 on second reading. Roll Call: Mr. Urfer – yes; Mr. Kruk – yes; Mayor McDonough – yes.

ORDINANCE 2019-09: Tabled – no further action at this time

RESOLUTION 2019-57:

Motion was made by Mr. Urfer, seconded by Mr. Kruk and carried to adopt Resolution 2019-57. Roll call vote: Mr. Urfer – yes; Mr. Kruk – yes; Mayor McDonough – yes.

RESOLUTION 2019-57

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Hope, County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Warren;

NOW, THEREFORE, BE IT RESOLVED by the Township of Hope, County of Warren, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Hope Municipal Alliance grant for fiscal year 2021 in the amount of:

| | |
|------------|------------|
| DEDR | \$2,100.00 |
| Cash Match | \$525.00 |
| In-Kind | \$1,575.00 |

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

CERTIFICATION

I, Judith M. Fisher, Municipal Clerk of the Township of Hope, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 13th day of November, 2019.

Judith M. Fisher, Municipal Clerk

RESOLUTION 2019-58:

Motion was made by Mr. Urfer, seconded by Mr. Kruk and carried to adopt Resolution 2019-58. All in favor.

RESOLUTION 2019-58

Resolution Calling for Study Commission to Review the Open Public Records Act

WHEREAS, Hope Township strongly believes in and supports open transparent government, and that citizens and residents have the right to be informed about the workings of government in order to best participate in a democracy; and

WHEREAS, on January 8, 2002 then Acting Governor DiFrancesco signed into law the Open Public Records Act (OPRA) which mandates that government records shall be available, with limited exceptions, for public access and simplifying the procedures for requesting such specific records; and

WHEREAS, the intent of the law was to provide the public with easy access to government records with an uncomplicated process for obtaining the records and eliminating bureaucratic red tape; and

WHEREAS, over the course of 18 years OPRA has been a positive light, but it has also been fraught with abuse and misuse, and has become an unanticipated financial cost to the taxpayers of New Jersey; and

WHEREAS, Hope Township has labored under a well-intended law that has spiraled out of control, due to the volume and nature of requests, the cost to taxpayers in responding to the requests, and the potential liability in having to pay disproportionate prevailing party attorney's fees should the requests turn into litigated matters, as well as the liability in determining which documents shall be released, with or without redaction, while attempting to maintain individual privacy; and

WHEREAS, it is not only the volume of OPRA requests that challenge our resources, but it is also the cost associated with reviewing, retrieving, and processing the OPRA request(s) by public entity personnel and counsel and possibly defending our action(s) before the Government Records Council or in Superior Court; and

WHEREAS, Hope Township received and responded to 75 OPRA requests in 2017, 105 OPRA requests in 2018, and to date has received and responded to 100 requests as of September 1, 2019; and

WHEREAS, Hope Township municipal staff has spent approximately 100 hours responding to OPRA requests received in 2019 to date, and a yearly average of approximately 200 hours since 2017; and

WHEREAS, OPRA requests for various purposes, including but not limited to vendor lists, open and closed building permits on properties in the Township, open and closed zoning permits and various other requests have been handled by municipal staff and disrupted the day-to-day operations of those departments; and

WHEREAS, with limited exceptions OPRA has not been amended to address the clear and apparent advancement in technology that has changed the way government records are created, stored, and/or

transmitted; the various interpretive decisions; privacy concerns; abuse for commercial gain; and/or the ever increasing cost to taxpayers; and

WHEREAS, as the current law approaches its twentieth (20th) anniversary it has outgrown its original intended use and has become ripe for comprehensive review and reform;

NOW, THEREFORE BE IT RESOLVED that the governing body of Hope Township appeals to the legislature to form a Commission comprised of Mayors, Municipal Clerks, Municipal Managers, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, citizens and other appropriate stakeholders, to review and examine the effects of OPRA on local government and the needs to be fulfilled by the law, and use the Commission's findings to perform a comprehensive reform of OPRA; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Assemblyman Parker Space, Assemblyman Harold J. Wirths, Senator Steven V. Oroho, Assembly Speaker Craig Coughlin, Senate President Stephen Sweeney, Senator Weinberg, Executive Director of the Government Records Council, the Governor of the State of New Jersey, the Municipal Clerks Association of New Jersey and New Jersey State League of Municipalities.

CERTIFICATION

I, Judith M. Fisher, RMC, Municipal Clerk of the Township of Hope in the County of Warren, New Jersey hereby certify the foregoing to be a true and accurate copy of a Resolution adopted by the Hope Township Committee on November 13, 2019.

Judith M. Fisher, RMC, Municipal Clerk

Old Business: Mrs. Fisher made note that the FEMA money for the generators installed in the Township will be forthcoming and deposited directly into the Township's account. She has made the CFO aware of this.

New Business: Moravian Lantern tour correspondence was received. The group asked the Township to front \$1500 for their use to get the Lantern Tour up and running. Proceeds will come back to the Township. Road closures will need to be dealt with and any questions should be directed to Mr. Urfer.

JCP&L will be doing tree trimming in the area. Correspondence was received this past week and is in file with the Clerk. A listing of roads where work is being done is included in the correspondence.

Block 3200, Lot 3300 – Resident interested in purchasing this small piece of land from the Township. Mr. Kruk will go out and ascertain fair value for the piece and whether it is of any use to the Township. Property will need to be made available to adjacent property owners by receipt of sealed bids should the piece be offered.

Approval of Minutes: None.

Public Participation:

Mr. Koeniges was in attendance for the presentation/hanging of the Honor Roll for Hope Township Vets. The Committee thanked her for all of her efforts in gathering and collecting the names of people who should be on the list. A moment of silence was observed upon the suggestion of Mr. Urfer for all the Veterans who have served or are currently serving.

Tom Bodolsky came to speak to the Committee regarding the warehouse project in White Township.

Use of Facilities:

Rose Maguire – Requested use of the Grange for Belvidere Wildcats cheerleading. Mr. Urfer motioned to approve with fee waived; Mr. Kruk seconded. Roll Call: Mr. Urfer – yes; Mr. Kruk – yes; Mayor McDonough – yes.

Executive Session:

A motion was made by Mr. Urfer, seconded by Mr. Kruk and carried to adopt the Resolution to go into Closed Session at 8:35 PM.

RESOLUTION

WHEREAS, Section 8 of the Open Public Meeting Act, Chapter 231, P. L 1975 permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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 public shall be excluded from that portion of this meeting
2. The general nature of the subject matter to be discussed is as follows:
 - A. Personnel - Sports Director position

As nearly as can be ascertained, the matter or matters to be discussed at this time will be disclosed to the public when such matters are resolved.

Time In: 8:35 PM

Present: Committeeman Kruk, Committeeman Urfer and Committeeman McDonough

Also Present: Robin Keggan, Deputy Clerk

Time Out: 9:02 PM

A motion made by Committeeman Kruk, seconded by Committeeman Urfer and carried to return to regular session.

No official action was taken by the Committee at this time. Copies of the minutes will be made available at such time as the Committee determines that there is no harm to the public interest.

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. Kruk, seconded by Mr. Urfer. All in favor. Motion carried.

Respectfully submitted,

Judith M. Fisher RMC, Municipal Clerk