

**NOVEMBER 9, 2023
BUSINESS MEETING**

The Business Meeting of the Hope Township Committee convened at 6:00 P.M. at the Hope Township Municipal Building with the following members present: Mayor Timothy McDonough, Committeeman Christopher John Kruk, and Deputy Mayor Terry Urfer. Also present were Municipal Clerk, Robin Keggan, RMC; Zondra Belstra, Deputy Clerk; Patti Whitmore, Events Coordinator and Donald Whitmore, DPW Foreman.

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 Express Times New Jersey Edition and by posting notices in the Hope Post Office and on the Township Web and Bulletin Boards.

Roll call: Mr. Kruk- present

Mr. Urfer – present

Mayor McDonough- present

PUBLIC COMMENT (ITEMS NOT ON AGENDA)

Ann Rhinesmith – questioned if the people who needed the community center code were given it. The clerks let her know that anyone who needs it calls the office and they give it to them on an as-needed basis.

Payment of Bills: Bills in the amount of \$986,581.01 were approved, including a sea container which was paid earlier in the week in the amount of \$2,150.00 (which makes the total \$988,731.01) on a motion made by Mr. Urfer; seconded by Mr. Kruk and roll called: Mr. Kruk yes; Mr. Urfer yes; Mayor McDonough - yes.

Reports:

Clerk: The clerk noted that the animal control officer report is on file.

DPW - Set up and take down of Halloween; Warren County Emergency Management donated the use of their light tower to us for Halloween; Mr. Miller’s tractor was used for the Halloween parade and the Committee thanked him for same; sea container delivered; Warren County fixed the Nightingale Road drain (put in a new pipe); FEMA work; flags are going to be taken down next week; banner for Christmas Craft Market and Lantern Tour was hung up; brought up residents’ dumping brush, sand, mulch, etc. in the Township roads and right-of-ways (corner of Hickory and Washington and Millbrook Road. Mr. Kruk noted that perhaps we could send copies of the ordinance to them once it is fully adopted. Also brought up an issue on Shiloh Road with a berm being built by a resident that will make the pooling of water at the intersection of Shiloh Road and Jenny Jump Road. Mr. Urfer and Mr. Kruk will visit the site and determine how best to handle this issue.

Tax Collector: \$520,54.05 collected for month ending 10/31/2023. \$5,676,127.75 Y-T-D.

Environmental Commission – Mrs. Sobon noted that she was thrilled that warehouses are being prohibited in the Township ordinances in every zone; noted that there is an Environmental Commission vacancy; received a \$250 award from the Lion’s Club. Mrs. Jansen thanked the Township Committee for all the work that has recently been undertaken at the Grange.

Mayor Tim McDonough: Noted that the grant for the paving of Kostenbader Road in 2024 was received and it came in at \$137,000 approximately. The engineers had requested the amount of \$170,000. Mayor McDonough noted that he will try to get discretionary funding for the balance the engineers

submitted so that the entire roadway can be paved. Noted that JCP&L will be doing tree work on many of the Township roadways beginning after the New Year in order to help with power outage issues at two of the substations that service Hope Township.

Deputy Mayor Terry Urfer: Discussed the ordinances that the Planning Board/Planning Board Subcommittee have been working on such as prohibiting warehousing in Hope Township; allowing “controlled” development; septic system ordinance needs to be changed to reflect relying upon the State statute with language stating “under purview of the Warren County Board of Health”. It was also noted that architectural requirements for building frontage need to be put in place in the POP Zone. Also noted that he would like to see 4 streetlights in the Village at the intersection; noted we need internet at the community center. Mayor McDonough will reach out to the new contact at Optimum.

Committeeman John Kruk: Noted that there would be a flag retirement ceremony at Sycamore Park at 4 pm. Discussed the DEP tree ordinance and noted that we could easily revise it from “must” or “shall” to “could” or “may”. Also noted that there was tree hanging on Ridgeway that needs to be dealt with.

Events Coordinator: Mrs. Whitmore noted that Halloween went well - \$1,890 cost; the Christmas Craft Market is well underway and all is going great and map is being worked on. Parking issues need to be dealt with for the Craft Market. Mrs. Whitmore resigned her position as of January 1, 2024, however, Mayor McDonough did not accept her resignation and asked her to rethink her decision and stated that a discussion on how to restructure things needs to be had as it relates to running the Township events and cleaning of buildings.

RESOLUTIONS:

RESOLUTION OF THE HOPE TOWNSHIP COMMITTEE RECOMMENDING THE APPOINTMENT OF CHARLES E. CARRO, ESQ. AS THE MUNICIPAL COURT JUDGE OF THE JOINT MUNICIPAL COURT OF NORTH WARREN AT HOPE PENDING A GOVERNOR’S APPOINTMENT PURSUANT TO N.J.S.A. 2B:12-4B

RESOLUTION NO. 2023-56

WHEREAS, the member municipalities of the Joint Municipal Court of North Warren at Hope were advised of the appointment of Judge William G. Mennen, the Municipal Court Judge, to the Superior Court of the State of New Jersey - Somerset, Hunterdon and Warren Counties which commenced on August 3, 2022. Upon confirmation by the State, he was required to tender his resignation to the North Warren Municipal Court effective as of June 13, 2022; and,

WHEREAS, Judge Carro has taken on the role of Acting Municipal Court Judge for the North Warren Municipal Court responsibilities due to Judge William G. Mennen being appointed to the Superior Court on August 3, 2022. Judge Carro filled the unexpired term of William G. Mennen and was appointed Acting Municipal Court Judge commencing June 13, 2022 with a term expiring on December 21, 2023; and,

WHEREAS, the other member municipalities, Hardwick Township and White Township were consulted and unanimously recommend Judge Charles E. Carro as Municipal Court Judge for the Joint Municipal Court; and,

NOW, THEREFORE, BE IT RESOLVED, that the Hope Township Committee respectfully recommends the appointment of Charles E. Carro, Esq., to remain Municipal Court Judge of the Joint Municipal Court of

North Warren at Hope effective January 1, 2024 and running for a three year term to expire on December 31, 2026.

BE IT FURTHER RESOLVED that the Municipal Clerk of the Township of Hope shall forward a certified copy of this action to the Honorable Gerard J. Shamey, P.J.M.C. of the Superior Court of New Jersey, Municipal Division, Vicinage 13; Charles E. Carro, Esq., the candidate; Hardwick Township and White Township.

Motion: Mr. Urfer

Second: Mr. Kruk

Committee polled: Mr. Kruk - yes; Mr. Urfer – yes; Mayor McDonough - yes

Date: November 9, 2023

CERTIFICATION

I, Robin L. Keggan, 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 at a meeting held on November 9, 2023.

HOPE TOWNSHIP, COUNTY OF WARREN, STATE OF NEW JERSEY

SUPPORTING ASSEMBLY BILL NO. 975 AND SENATE BILL NO. 2643 SPONSORED BY ASSEMBLY MINORITY LEADER JOHN DIMAIO AND SENATOR DOUG STEINHARDT, REQUIRING COMMERCIAL MOTOR VEHICLES TO BE EQUIPPED WITH CERTAIN GLOBAL POSITIONING SYSTEMS

RESOLUTION NO. 2023-57

WHEREAS, bipartisan Assembly Bill No. 975 sponsored by Assemblyman John DiMaio and Assemblyman Daniel Benson would require a commercial motor vehicle operating upon the public highways of this State to be equipped with a global positioning system navigation program that provides information about upcoming highway infrastructure with low vertical clearance and weight restrictions and dynamic route directions that account for commercial motor vehicle restrictions; and,

WHEREAS, the legislation defines a “commercial motor vehicle” as a select group of vehicles with a gross vehicle weight rating of 16,001 or more pounds, or that display a gross vehicle weight rating of 26,001 or more pounds; and,

WHEREAS, commercial motor vehicles have restricted routes of travel that are not readily displayed on civilian navigation systems that are sometimes used by operators of commercial motor vehicles; and,

WHEREAS, because of limited information on civilian navigation systems, commercial motor vehicle operators often unintentionally end up on restricted weight roadways or are stopped along their route by a restricted weight bridge; and,

WHEREAS, Warren County has sustained damages to roadways and bridges as a result of overweight trucks traveling on them; and,

WHEREAS, unless identified by camera, or law enforcement personnel, Warren County taxpayers are on the hook for the cost of repairs to infrastructure damaged by large trucks; and,

WHEREAS, this legislation is also important given the number of historic bridges, culverts and downtowns located throughout Warren County that cannot accommodate large commercial vehicles and cause considerable disruption to local traffic flow.

NOW, THEREFORE, BE IT RESOLVED that the Hope Township Committee does hereby support Assembly Bill No. 975 and Senate Bill No. 2643; and,

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to the members of the 23rd Legislative District.

Motion: Mr. Urfer

Second: Mr. Kruk

Committee polled: Mr. Kruk - yes Mr. Urfer – yes Mayor McDonough - yes

CERTIFICATION

I, Robin L. Keggan, 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 at a meeting held on November 9, 2023.

ORDINANCES: FIRST READING AND INTRODUCTION BY TITLE ONLY

ORDINANCE NO. 2023-15

AN ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 17 ENTITLED “LAND USE PROCEDURES” ARTICLE I “PLANNING BOARD” AND REPEALING SECTIONS 17-2 “ZONING BOARD OF ADJUSTMENT” AND 17-3 “PROVISIONS APPLICABLE TO BOTH THE PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT” OF THE CODE OF THE TOWNSHIP OF HOPE AND MERGING ITS FUNCTIONS INTO THE PLANNING BOARD TO CREATE A LAND USE BOARD PURSUANT TO N.J.S.A. 40:55D-25(c)(1)

WHEREAS, the Township Committee of the Township of Hope believes it is in the best interest of the Township to merge the duties of the Zoning Board with the Planning Board; and,

WHEREAS, N.J.S.A. 40:55D-25(c)(1) expressly permits the combination of the two Boards to permit the Planning Board to assume the powers, duties and functions of the Zoning Board of Adjustment; and,

WHEREAS, the aforementioned statute requires that the Zoning Board be dissolved and its functions assumed by the Planning Board.

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

Section 1. Section 17-1 Planning Board is amended as follows:

(a) The Hope Township Planning Board, created pursuant to N.J.S.A. 40:55-25(c)(1), shall consist of nine (9) members of the following four (4) classes:

(1) Class I: the Mayor or the Mayor’s designee.

- (2) Class II: one (1) of the officials of the municipality, other than a member of the governing body, to be appointed by the Mayor, provided that if there is an Environmental Commission, the member of the Environmental Commission who is also a member of the Planning Board, as required by N.J.S.A. 40:56A-1, shall be deemed to be the Class II Planning Board member for the purposes of this chapter in the event that there is among the Class IV both a member of the Zoning Board of Adjustment and a member of the Board of Education.
- (3) Class III: a member of the Township Committee to be appointed by the Township Committee.
- (4) Class IV members: six (6) other citizens of the municipality to be appointed by the Mayor. The members of Class IV shall hold no other municipal office. One (1) Class IV member may be a member of the Board of Education. If there is a Municipal Environmental Commission, the member of the Environmental Commission who is also a member of the Planning Board, as required by N.J.S.A. 40:56A-1, shall be a Class IV Planning Board member unless there are among Class IV members of the Planning Board both a member of the Zoning Board of Adjustment and a member of the Board of Education, in which case the member common to the Planning Board and Municipal Environmental Commission shall be deemed a Class II member of the Planning Board. For the purpose of this section, membership on a municipal board or commission whose function is advisory in nature, the establishment of which is discretionary and not required by statute, shall not be considered the holding of municipal office.
- (5) Alternate members. Four (4) alternate members shall be appointed by the Mayor and shall meet the qualifications of Class IV members. Alternate members shall be designated at the time of appointment as "Alternate No. 1," "Alternate No. 2," "Alternate No. 3," and "Alternate No. 4." The terms of alternate members shall be for two (2) years, except that the terms of not more than two alternate members shall expire in the same year.

Alternate members may participate in all matters but may not vote except in the absence or disqualification of a regular member of any class.

Section 2. This Ordinance shall repeal Sections 17-2 and 17-3 entitled "Zoning Board of Adjustment" and "Provisions Applicable to Both the Planning Board and Zoning Board of Adjustment" to eliminate the Zoning Board of Adjustment and vest the Planning Board with the powers and duties and functions of the Zoning Board of Adjustment.

Section 3. Section 17-1 entitled "Planning Board" shall have a new section (§ 17-1.13), entitled "Powers and Jurisdictions of Planning Board" which shall contain the following:

The Board hereby created shall also exercise all the powers, duties and procedures as set forth in the Municipal Land Use Law for Zoning Boards pursuant to N.J.S.A. 40:55D-25(c)(1).

Section 4. If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this ordinance.

Section 5. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of the Township of Hope Code not inconsistent herewith are ratified and confirmed.

Section 6. This Ordinance shall become effective following its final passage and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee on the first reading at a meeting of the Township Committee of the Township of Hope, held on November 9, 2023, and will be considered for a second reading and final passage at a regular meeting of the Township Committee to be held on December 13, at 6:00 p.m., at the Municipal Building, located at 407 Great Meadows Road, Hope, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Motion to introduce: Mr. Urfer

Seconded: Mr. Kruk

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

It is noted that discussion took place regarding the Mayor making appointments exception of Class III. The clerk responded that this is driven by the MLUL and that Mr. Selvaggi would need to weigh in on that. Also noted that a member of the Planning Board and the Zoning Board of Adjustment were opposed to the formation of a Land Use Board.

ORDINANCES: PUBLIC SESSION AND ADOPTION (CONSENT AGENDA)

Motion to open to the public: Mr. Urfer, Seconded: Mr. Kruk All in favor.

Mrs. Sobon had questions regarding various parts of several ordinances which the Committee addressed.

Motion to close to the public: Mr. Urfer, Seconded: Mr. Kruk All in favor.

On a motion made by Mr. Urfer, Seconded by Mr. Kruk and roll called as follows: Mr. Kruk, yes; Mr. Urfer – yes; Mayor McDonough – yes – the following Ordinances were adopted.

ORDINANCE NO. 2023-07

ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY CREATING CHAPTER 29 ENTITLED “PRIVATELY-OWNED SALT STORAGE” AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and,

WHEREAS, certain model ordinances were provided to the Township by the Department for introduction and subsequent adoption; and,

WHEREAS, the Township Committee of the Township of Hope believes the adoption of these ordinances is in the best interest of the Township and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hope, County of Warren, State of New Jersey, that Chapter 29 entitled “Privately-Owned Salt Storage” be created as follows:

SECTION I.

§ 29-1. Purpose.

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Township of Hope to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 29-2. Definitions.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. “Storm drain inlet” means the point of entry into the storm sewer system.
- D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).
 - A fabric frame structure is a permanent structure if it meets the following specifications:
 - 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 - 3. The structure shall be erected on an impermeable slab;
 - 4. The structure cannot be open sided; and
 - 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- F. “Resident” means a person who resides on a residential property where de-icing material is stored.

§ 29-3. De-Icing Material Storage Requirements.

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
 - 1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 - 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 - 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 - 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 - 5. Containers must be sealed when not in use; and
 - 6. The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15–April 15.

- C. All such temporary and/or permanent structures must also comply with all Township of Hope ordinances, including, but not limited to, building and zoning regulations.
- D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
 - 1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

§ 29-4. Exemptions.

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within two (2) weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section ___-3 above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This Ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

§ 29-5. Enforcement.

This Ordinance shall be enforced by the State Police Department and/or Zoning Officer of the Township of Hope during the course of ordinary enforcement duties.

§ 29-6. Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance shall have seventy-two (72) hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows:

- 1. First Violation: \$250.00
- 2. Second Violation: \$500.00
- 3. Third and all subsequent violations: \$1,000.00

SECTION II. Repealer.

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.

SECTION III. 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 to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

SECTION IV. Effective Date.

This Ordinance shall take effect upon 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 a regular meeting of the Committee of the Township of Hope held on October 11, 2023 and ordered published in accordance with the law. Said Ordinance was adopted at a regular meeting of the Township Committee

held on November 9, 2023 at 6:00 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.

ORDINANCE NO. 2023-08

ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY CREATING CHAPTER 28 ENTITLED “ILLICIT CONNECTION” AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and,

WHEREAS, certain model ordinances were provided to the Township by the Department for introduction and subsequent adoption; and,

WHEREAS, the Township Committee of the Township of Hope believes the adoption of these ordinances is in the best interest of the Township and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hope, County of Warren, State of New Jersey, that Chapter 28 entitled “Illicit Connection” be created as follows:

SECTION I.

§ 28-1. Purpose.

An Ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Township of Hope so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 28-2. Definitions.

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Domestic sewage - waste and wastewater from humans or household operations.
- b. Illicit connection – any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the Township of Hope, unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- c. Industrial waste - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).
- d. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Hope or other public body, and is designed and used for collecting and conveying stormwater.
- e. NJPDES permit – a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A.
- f. Non-contact cooling water - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.
- g. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

- h. Process wastewater – any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.
- i. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

§ 28-3. Prohibited Conduct.

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Township of Hope any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

§ 28-4. Enforcement.

This Ordinance shall be enforced by the Warren County Health Department.

§ 28-5. Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a fine not to exceed two thousand dollars (\$2,000.00).

SECTION II. Repealer.

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.

SECTION III. 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 to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

SECTION IV. Effective Date.

This Ordinance shall take effect upon 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 a regular meeting of the Committee of the Township of Hope held on October 11, 2023 and ordered published in accordance with the law. Said Ordinance was adopted at a regular meeting of the Township Committee held on November 9, 2023 at 6:00 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.

ORDINANCE NO. 2023-09

ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY CREATING SECTION 25 OF CHAPTER 3 – POLICE REGULATIONS - ENTITLED “YARD WASTE COLLECTION PROGRAM” AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and,

WHEREAS, certain model ordinances were provided to the Township by the Department for introduction and subsequent adoption; and,

WHEREAS, the Township Committee of the Township of Hope believes the adoption of these ordinances is in the best interest of the Township and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hope, County of Warren, State of New Jersey, that Section 3-25 entitled “Yard Waste Collection Program” be created as follows.

BE IT FURTHER ORDAINED by the Township Committee of the Township of Hope, County of Warren, State of New Jersey, that certain sections of Chapter 3 – Police Regulations – be renumbered for consistency purposes as follows:

SECTION I.

§ 3-25.1. Purpose.

An Ordinance to establish a yard waste collection and disposal program in the Township of Hope, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 3-25.2. Definitions.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Containerized – means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Street – means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.
- d. Yard Waste – means leaves and grass clippings.

§ 3-25.3. Yard Waste Collection.

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than ten (10) feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this Ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this Ordinance.

§ 3-25.4. Enforcement.

This Ordinance shall be enforced by the New Jersey State Police and the Warren County Health Department.

§ 3-25.6. Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a fine not to exceed two thousand dollars (\$2,000.00).

Current Section 3-25 entitled “Loitering” shall be renumbered and become Section 3-26.

Current Section 3-26 entitled “Motorboats” shall be renumbered and become Section 3-27.

Current Section 3-27 entitled “Motor-Propelled Vehicles” shall be renumbered and become Section 3-28.

Current Section 3-28 entitled “Drug-Free School Zones” shall be renumbered and become Section 3-29.

Current Section 3-29 entitled “Garage Sales” shall be renumbered and become Section 3-30.

Current Section 3-30 entitled “Drunk Driving-Free School Zones” shall be renumbered and become Section 3-31.

Current Section 3-31 entitled “Prohibition of “Engine Breaking”” shall be renumbered and become Section 3-32.

Current Section 3-32 entitled “Enrollment of Nonresident Students in the Hope Township School District” shall be renumbered and become Section 3-33.

SECTION II. Repealer.

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.

SECTION III. 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 to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

SECTION IV. Effective Date.

This Ordinance shall take effect upon 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 a regular meeting of the Committee of the Township of Hope held on October 11, 2023 and ordered published in accordance with the law. Said Ordinance was adopted at a regular meeting of the Township Committee held on November 9, 2023 at 6:00 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.

ORDINANCE NO. 2023-10

ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY CREATING CHAPTER 27 ENTITLED “IMPROPER DISPOSAL OF WASTE” AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and,

WHEREAS, certain model ordinances were provided to the Township by the Department for introduction and subsequent adoption; and,

WHEREAS, the Township Committee of the Township of Hope believes the adoption of these ordinances is in the best interest of the Township and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hope, County of Warren, State of New Jersey, that Chapter 27 entitled “Improper Disposal of Waste” be created as follows:

SECTION I.

§ 27-1. Purpose.

An Ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Township of Hope, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 27-2. Definitions.

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Township of Hope or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

§ 27-3. Prohibited Conduct.

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated in the Township of Hope is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

§ 27-4. Exceptions to Prohibition.

- a. Water line flushing and discharges from potable water sources
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
- c. Air conditioning condensate (excluding contact and non-contact cooling water)
- d. Irrigation water (including landscape and lawn watering runoff)
- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows
- f. Residential car washing water, and residential swimming pool discharges
- g. Sidewalk, driveway, and street wash water
- h. Flows from firefighting activities
- i. Flows from rinsing of the following equipment with clean water:
 1. Beach maintenance equipment immediately following their use for their intended purposes; and
 2. Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.
 3. Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

§ 27-5. Enforcement.

This Ordinance shall be enforced by the New Jersey State Police and the Warren County Health Department.

§ 27-6. Violations and Penalties.

Any person(s) who continues to be in violation of the provisions of this Ordinance, after being duly notified, shall be subject to a fine not to exceed two thousand dollars (\$2,000.00).

SECTION II. Repealer.

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.

SECTION III. 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 to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

SECTION IV. Effective Date.

This Ordinance shall take effect upon 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 a regular meeting of the Committee of the Township of Hope held on October 11, 2023 and ordered published in accordance with the law. Said Ordinance was adopted at a regular meeting of the Township Committee held on November 9, 2023 at 6:00 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.

ORDINANCE NO. 2023-11

ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY DELETING IN ITS ENTIRETY SECTION 3-24 ENTITLED “LITTERING” AND REPLACING SAME WITH SECTION 3-24 ENTITLED “LITTER CONTROL” AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and,

WHEREAS, certain model ordinances were provided to the Township by the Department for introduction and subsequent adoption; and,

WHEREAS, the Township Committee of the Township of Hope believes the adoption of these ordinances is in the best interest of the Township and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hope, County of Warren, State of New Jersey, that Section 3-24 be deleted in its entirety and replaced with Section 3-24 entitled “Litter Control” as follows:

SECTION I.

§ 3-24. Litter Control.

§ 3-24.1. Purpose.

An Ordinance to establish requirements to control littering in the Township of Hope so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 3-24.2. Definitions.

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Aircraft – shall mean any contrivance now known or hereinafter invented, used, or designed for navigation or for flight in air. The word “aircraft” shall include, but not be limited to, helicopters and lighter-than-air dirigibles and balloons.
- b. Authorized private receptacle – shall mean a litter storage and collection receptacle.
- c. Commercial handbill – shall mean any printed to written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature, which:
 - i. advertises for sale any merchandise, produce commodity or thing; or
 - ii. directs attention to any business or mercantile or commercial establishment or other activity for the purpose of either directly or indirectly promoting the interest thereof by sales; or
 - iii. directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind, for which an admission fee is charged for the purpose of private gain or profit; but the terms of the clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition or event of any kind, when either or the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order, provided, that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind, without a license, where such license is or may be required by any law of this state, or under any ordinance of this Township; or
 - iv. while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distributor.

- d. Garbage – shall mean putrescible, animal, and vegetable wastes, resulting from the handling, preparation, cooking and consumption of food.
- e. Litter – shall mean any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.
- f. Litter Receptacle – shall mean a container suitable for the depositing of litter.
- g. Newspaper – shall mean any newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States, in accordance with Federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and, in addition thereto, shall mean and include any periodical or current magazine regularly published with not less than four issues per year, and sold to the public.
- h. Noncommercial handbill – shall mean any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the aforesaid definitions of a commercial handbill or newspaper.
- i. Park – shall mean a park, reservation, playground recreation center or other public area in the Township, owned or used by the Township and devoted to active or passive recreation.
- j. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- k. Private premises – shall mean any dwelling house, building, or other structure designed or used either wholly or in part for private residential purposes, whether uninhabited or temporarily or continuously inhabited or vacant and shall include but not be limited to, any yard grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.
- l. Public place – shall mean any and all streets, sidewalks, boulevards, alleys on other public ways and any and all public parks, squares, spaces, grounds and buildings.
- m. Refuse – shall mean all putrescible and nonputrescible solid wastes (except body wastes) including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes.
- n. Rubbish – shall mean nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, wood, glass, beddings, crockery, and similar materials.
- o. Township – shall mean the Township of Hope, Warren County, New Jersey.
- p. Vehicle – shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

§ 3-24.3. Prohibited Acts and Regulated Activities.

It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.

Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

§ 3-24.4. Litter on Vacant Lots.

No person shall throw or deposit litter on any open or vacant private property within the Township, whether owned by such person or not.

§ 3-24.5. Litter on Occupied Private Property.

No person shall throw or deposit litter on any occupied private property within the Township, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

§ 3-24.6. Placement of Litter in Receptacles.

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

§ 3-24.7. Sweeping Litter into Gutters Prohibited.

No person shall sweep into or deposit in any gutter, street or other public place within the Township the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

§ 3-24.8. Truckloads Causing Litter.

No person shall drive or move any truck or other vehicle within the Township unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street alley or other public place.

§ 3-24.9. Dropping Litter from Aircraft.

No person in an aircraft shall throw out, drop or deposit within the Township any litter, handbill, or any other object.

§ 3-24.10. Litter in Parks.

No person shall throw or deposit litter, in any park within the Township except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park by the persons responsible for its presence and properly disposed of elsewhere as provided herein.

§ 3-24.11. Litter in Lakes, Streams.

No person shall throw, post or deposit litter in any lake, stream, pond, brook, fountain, swamp, marsh or any other body containing water within the Township.

§ 3-24.12. Handbills on Vehicles.

No person shall throw, post or deposit any commercial or noncommercial handbill in or upon any vehicle. Provided however, that it shall not be unlawful in any public place for a person to hand out or distribute without charge to the receiver thereof, a noncommercial handbill to any occupant of a vehicle who is willing to accept it.

§ 3-24.13. Handbills on Uninhabited or Vacant Premises.

No person shall throw, post or deposit any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.

§ 3-24.14. Prohibiting Distribution of Handbills Where Properly Posted.

No person shall throw, post, deposit or distribute, any commercial or noncommercial handbill upon any private premises, if requested by anyone thereon not to do so, or if there is placed on said premises in a conspicuous position near the entrance thereof, a sign bearing the words; "No Trespassing," "No Peddlers or Agents," "No Advertisement," or any similar notice, indicating in any manner that the occupants of said premises do not desire to be molested or have their right of privacy disturbed, or to have any such handbills left upon such premises.

§ 3-24.15. Handbills at Inhabited Private Premises.

No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant or other person then present in or upon such private premises provided, however, that in cases of inhabited private premises which are not posted, as provided in this subsection such person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or upon said inhabited private premises, if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets, or other public places, and except that mailboxes may not be so used when so prohibited by Federal postal law or regulations.

- i. Exemption for Mail and Newspapers. The provisions of this subsection shall not apply to the distribution of mail by the United States, nor to newspapers (as defined herein) except that newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place, or upon private property.

§ 3-24.16. Posting Notices Prohibited.

No person shall post or affix any notice, poster, or other paper or device, calculated to attract the attention of the public to any lamp post, public utility pole or shade tree, or upon any public structure or building, except as may be authorized or required by law.

§ 3-24.17. Owner to Maintain Premises Free of Litter.

The owner or person in control of any private property shall at all times maintain the premises free of litter. Provided, however, that this subsection shall not prohibit the storage of litter in authorized private receptacles for collection.

§ 3-24.18. Enforcement.

This Ordinance shall be enforced by the New Jersey State Police, Warren County Health Department, and the Hope Township Zoning Officer.

§ 3-24.19. Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a fine not to exceed two thousand dollars (\$2,000.00).

SECTION II. Repealer.

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.

SECTION III. 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 to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

SECTION IV. Effective Date.

This Ordinance shall take effect upon 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 a regular meeting of the Committee of the Township of Hope held on October 11, 2023 and ordered published in accordance with the law. Said Ordinance was adopted at a regular meeting of the Township Committee on November 9, 2023 at 6:00 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.

ORDINANCE NO. 2023-12

ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 5 ENTITLED “ ANIMAL CONTROL” TO CREATE SECTION 5-6 “WILDLIFE FEEDING” AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and,

WHEREAS, certain model ordinances were provided to the Township by the Department for introduction and subsequent adoption; and,

WHEREAS, the Township Committee of the Township of Hope believes the adoption of these ordinances is in the best interest of the Township and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hope, County of Warren, State of New Jersey, that Chapter 5 entitled “Animal Control” be amended and supplemented to create Section 5-6 “Wildlife Feeding” be created as follows:

SECTION I.

§ 5-6. Wildlife Feeding.

§ 5-6.1. Purpose.

An Ordinance to prohibit the feeding of unconfined wildlife in any public park on any other property owned or operated by the Township of Hope, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 5-6.2. Definitions.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Feed – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Wildlife – all animals that are neither human nor domesticated.

§ 5-6.3. Prohibited Conduct.

No person shall feed, in any public park or on any other property owned or operated by the Township of Hope, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

§ 5-6.4. Enforcement.

This Ordinance shall be enforced by the New Jersey State Police, the New Jersey Park Police, as well as the Hope Township Animal Control Officer.

Any person found to be in violation of this Ordinance shall be ordered to cease the feeding immediately.

§ 5-6.5. Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a fine not to exceed two thousand dollars (\$2,000.00).

SECTION II. Repealer.

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.

SECTION III. 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 to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

SECTION IV. Effective Date.

This Ordinance shall take effect upon 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 a regular meeting of the Committee of the Township of Hope held on October 11, 2023 and ordered published in accordance with the law. Said Ordinance was adopted at a regular meeting of the Township Committee held on November 9, 2023 at 6:00 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.

ORDINANCE NO. 2023-13

ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 5 ENTITLED “ANIMAL CONTROL” TO CREATE SECTION 5-5 “PET WASTE” CONCERNING THE AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and,

WHEREAS, certain model ordinances were provided to the Township by the Department for introduction and subsequent adoption; and,

WHEREAS, the Township Committee of the Township of Hope believes the adoption of these ordinances is in the best interest of the Township and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hope, County of Warren, State of New Jersey, that Chapter 5 entitled “Animal Control” be amended and supplemented to create Section 5-5 entitled “Pet Waste” as follows:

SECTION I.

§ 5-5. PET WASTE

§ 5-5.1. Purpose.

An Ordinance to establish requirements for the proper disposal of pet waste in the Township of Hope, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

§ 5-5.2. Definitions.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet – a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement.
- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

§ 5-5.3. Requirement for Disposal.

All pet owners and keepers are required to immediately and properly dispose of their pet’s solid waste deposited on any property, public or private, not owned or possessed by that person.

§ 5-5.4. Exemptions.

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this Chapter while such animal is being used for that purpose.

§ 5-5.5. Enforcement.

The provisions of this Chapter shall be enforced by Warren County Health Department.

§ 5-5.6. Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a fine not to exceed two thousand dollars (\$2,000.00).

SECTION II. Repealer.

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.

SECTION III. 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 to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

SECTION IV. Effective Date.

This Ordinance shall take effect upon 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 a regular meeting of the Committee of the Township of Hope held on October 11, 2023 and ordered published in accordance with the law. Said Ordinance was adopted at a regular meeting of the Township Committee

held on November 9, 2023 at 6:00 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.

ORDINANCE NO. 2023-14
ORDINANCE OF THE TOWNSHIP OF HOPE, COUNTY OF WARREN, STATE OF NEW JERSEY CREATING CHAPTER 30 ENTITLED “PRIVATE STORM DRAIN INLET RETROFITTING” AS REQUIRED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the New Jersey Department of Environmental Protection is requiring all New Jersey municipalities to adopt certain ordinances in order to comply with the Tier A Stormwater Requirements; and,

WHEREAS, certain model ordinances were provided to the Township by the Department for introduction and subsequent adoption; and,

WHEREAS, the Township Committee of the Township of Hope believes the adoption of these ordinances is in the best interest of the Township and its residents.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hope, County of Warren, State of New Jersey, that Chapter 30 entitled “Private Storm Drain Inlet Retrofitting” be created as follows:

SECTION I.

§ 30-1. Purpose.

An Ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Township of Hope so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ 30-2. Definitions.

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Hope or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- d. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ 30-3. Prohibited Conduct.

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or

2. Is retrofitted or replaced to meet the standard in Section 30-4 below prior to the completion of the project.

§ 30-4. Design Standard.

Storm drain inlets identified in Section 30-3 above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Paragraph 3 of this Section below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
3. This standard does not apply:
 - a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 - ii. A bar screen having a bar spacing of 0.5 inches.
 - c. Where flows are conveyed through a trash rack that has parallel bars with one inch (1") spacing between the bars; or
 - d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

§ 30-5. Enforcement.

This Ordinance shall be enforced by the Hope Township Consulting Engineer and the Hope Director of Public Works.

§ 30-6. Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this Ordinance shall be subject to a fine not to exceed two thousand dollars (\$2,000.00) for each storm drain inlet that is not retrofitted to meet the design standard.

SECTION II. Repealer.

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.

SECTION III. 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 to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

SECTION IV. Effective Date.

This Ordinance shall take effect upon 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 a regular meeting of the Committee of the Township of Hope held on October 11, 2023 and ordered published in accordance with the law. Said Ordinance was adopted at a regular meeting of the Township Committee held on November 9, 2023 at 6:00 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.

Unfinished Business:

Note was made that the quote received from Mickelson Contracting approved last month for the door repair at the Grange also reflected the repair of the window in the kitchen. He has been requested to make a separate invoice for that as that is able to be submitted to FEMA for the damages relating to the July storm.

New Business:

Computer for the Tax Assessor – the tax assessor has requested the amount of \$325 from each town that he works for towards the purchase of a new laptop (his is 10 years old now). On a motion made by Mr. Urfer; seconded by Mr. Kruk and roll called – Mr. Kruk – yes; Mr. Urfer -yes; Mayor McDonough – yes, the motion passed unanimously.

Planning Board Ordinance work – discussion took place relative to certain ordinances being revised, such as elimination of the NC Zone and combining it into the POP Zone; prohibiting warehousing in all zones in Hope Township, etc.

Tree Ordinance (DEP) – tabled (must be adopted by May 2024).

Picnic Date – set for September 28, 2024

Approval of Minutes: The minutes of the October 11, 2023 Business and Executive meetings and the October 25 work meetings were approved on a motion made by Mr. Urfer, seconded by Mr. Kruk. All in favor.

Public Participation:

Ann Rhinesmith mentioned a drain Ridgeway that needs attention to prevent flooding and the distillery outlet needs repairs. Mr. Whitmore noted that he would like to purchase electric baseboard heaters and thermostats for the distillery. On a motion from Mr. Urfer, seconded by Mr. Kruk and roll called: Mr. Kruk – yes; Mr. Urfer -yes; Mayor McDonough – yes the motion passed unanimously.

Norina Bonner questioned the barrels and cones that are in front of the Moravian Market as they don't look very nice. Mr. Whitmore stated he is purchasing new Yield to Pedestrian signs for that area.

Seeing there was no other business for tonight, this meeting of the Hope Township Committee was adjourned at 8:14 p.m. on a motion made by Mr. Urfer; seconded by Mayor McDonough. Motion carried.

Robin L. Keggan, RMC
Municipal Clerk