

**OCTOBER 11, 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**

**A moment of silence was observed in recognition of the events taking place in Israel.**

**PUBLIC COMMENT (ITEMS NOT ON AGENDA)**

None.

**Payment of Bills:** Bills in the amount of \$725,412.86 were approved, 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:** Alerted the Committee to a letter received from Blairstown Animal Hospital stating that as of January 1, 2024 they will no longer be an intake facility for strays or abandoned/lost animals. Mr. Urfer as Deputy ACO will work with the ACO to find a satisfactory solution to this issue to ensure that these animals are taken care of. Mr. Urfer also requested that the Clerk’s Office send the ACO correspondence stating that canvassing at Swayze Mill Park and residences needs to be done in the municipality regarding unlicensed dogs. It is highly recommended that anyone who does not have their dog licensed in Hope Township that resides in Hope Township have their dogs licensed ahead of this.

**DPW -** Reported on work progress since the last report was given such as continued FEMA work; repairs being made to DPW vehicles and equipment; line striping done on Ridgeway (centerline only, no shoulder lines to be done); fencing repairs made at Swayze Mill Park; Wire’s Electrical looking into repairs needing to be made at the Grange and the curtain repairs that were made to the curtains at the Community Center. A discussion took place regarding the recent discovery that someone has been taking chairs from the Community Center and how the Township can best go about lessening accessibility to the building by non-Township employees. Various methods of changing the entry to the building are being looked into.

**Tax Collector:** \$83,053.72 collected for month ending 9/30/2023. \$5,155,581.70 Y-T-D.

**Environmental Commission:** Discussion surrounding the annual calendar printing took place as well as discussion regarding putting Trex benches at the Community Center and how to secure those in light of the recent missing items. Also discussed the camera purchased with the first CHPP Grant from the County and roadside cleanups. The 55 Plus Club is planning on doing a clean-up on October 20 and will look for direction from Mr. Whitmore as to what road needs cleaning. Mr. Kruk suggested that he would love to see a community clean up day were volunteers assemble to do various roadside cleanups in the

municipality (no funds would be paid out) in light of the complaints he received this year regarding the County Jail inmates (CLAP program) doing a roadside.

**Mayor Tim McDonough:** Gave an update on the status of the Truck Traffic work with the NJDOT and County that has been taking place. A resolution is slated to be on an upcoming County agenda regarding truck traffic, weight limits and/or size limits. He also noted that there is a new Lieutenant Station Commander and Community Policing Officer.

**Deputy Mayor Terry Urfer:**

**Committeeman John Kruk:** Inquired if wire at Swayze Mill Park was buried that was discovered to which Mr. Whitmore confirmed that it was. Also let the public know that a 5<sup>th</sup>/6<sup>th</sup> grade basketball coach is needed if anyone has any suggestions.

**Events Coordinator:** Mrs. Whitmore discussed the upcoming Longwood Gardens trip with the 55 Plus Club on November 20, 2023. Also let the Committee know that Halloween is pretty much done and the Christmas Craft Market is 75% full and things are rolling along well with that.

**RESOLUTIONS:**

**HOPE TOWNSHIP, WARREN COUNTY, NEW JERSEY  
RESOLUTION CANCELING TAX SALE CERTIFICATE  
2023-001  
RESOLUTION NO. 2023-50**

**WHEREAS**, the property of Laura & Jeffrey McConnell known as block 100, lot 2103 located at Jenny Jump Avenue had unpaid 2022 property taxes and was sold at Tax Sale on 02 February 2023 by the Hope Township Tax Collector; and,

**WHEREAS**, as there were no outside bidders for the abovementioned property, the Hope Township Tax Collector struck off the property to the Township of Hope for the amount of \$460.01. The amount consists of unpaid 2022 property taxes, interest, and other costs, and is represented by Tax Sale Certificate 2023-001; and,

**WHEREAS**, CoreLogic Tax Services, representing Mr. Cooper, the mortgagee of the property, paid \$986.65 on 21 September 2023 to redeem the said Tax Lien 2023-001 together with accrued interest, other charges, delinquent taxes, and fourth quarter 2023 property taxes.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Hope on this 11<sup>th</sup> day of October 2023 that the Mayor of the Township of Hope be authorized to sign Tax Sale Certificate 2023-001 as being; and,

**BE IT FURTHER RESOLVED** that the Tax Collector return the executed satisfied Tax Sale Certificate to CoreLogic Tax Services of 3001 Hackberry Road located in Irving, TX 75063-0156.

Motion: Mr. Urfer

Second: Mr. Kruk

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

**TOWNSHIP OF HOPE  
WARREN COUNTY, NEW JERSEY  
RESOLUTION 2023-51**

**RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL ITEMS OF REVENUE IN  
THE 2023 BUDGET PURSUANT TO N.J.S.A. 40A:4-87  
(CHAPTER 159, P.L. 1948)**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item(s) of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount, thereof, was not determined at the time of the adoption of the budget; and,

**WHEREAS**, the director may also approve the insertion of any item of appropriation for equal amount.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township Hope, County of Warren, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year as follows:

CHPP 2023 Round 2 Grant – Hope Creative Team \$ 1,803.00

**BE IT FURTHER RESOLVED** that like sum of \$1,803.00 is hereby appropriated under the caption “FY2023 CHPP Round 2 Grant- Creative Team”.

Motion: Mr. Urfer

Second: Mr. Kruk

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

**ORDINANCES: FIRST READING AND INTRODUCTION (CONSENT AGENDA)**

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 approved for introduction and first reading by title only:

**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 15<sup>th</sup> and April 15<sup>th</sup>:
  - 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 16<sup>th</sup> and October 14<sup>th</sup>.
- 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 will be considered for final reading and adoption at a regular meeting of the Township Committee to be 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, at which time all persons interested may appear for or against the passage of said Ordinance.

### **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 will be considered for final reading and adoption at a regular meeting of the Township Committee to be 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, at which time all persons interested may appear for or against the passage of said Ordinance.

**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 will be considered for final reading and adoption at a regular meeting of the Township Committee to be 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, at which time all persons interested may appear for or against the passage of said Ordinance.

**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 will be considered for final reading and adoption at a regular meeting of the Township Committee to be 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, at which time all persons interested may appear for or against the passage of said Ordinance.

**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 or 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 will be considered for final reading and adoption at a regular meeting of the Township Committee to be 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, at which time all persons interested may appear for or against the passage of said Ordinance.

**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 will be considered for final reading and adoption at a regular meeting of the Township Committee to be 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, at which time all persons interested may appear for or against the passage of said Ordinance.

**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 will be considered for final reading and adoption at a regular meeting of the Township Committee to be 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, at which time all persons interested may appear for or against the passage of said Ordinance.

**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 will be considered for final reading and adoption at a regular meeting of the Township Committee to be 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, at which time all persons interested may appear for or against the passage of said Ordinance.

#### **Unfinished Business:**

Discussion took place regarding the snowplowing quotes received for the 2023-2024 season. The award was made to Drake Excavating, LLC and a Resolution detailing same will be prepared for the October 25, 2023 work meeting.

#### **New Business:**

Personnel Policy – The Township Personnel Policy was briefly discussed as it needs to be updated to be compliant with PAIC GIF in order for the Township to continue to receive discounted deductible rates. The policy must be approved and in place by November 1, 2023 for this to be effective. On a motion made by Mr. Urfer, seconded by Mr. Kruk and roll called: Mr. Kruk – yes; Mr. Urfer – yes; Mayor McDonough – yes, the personnel policy was adopted noting that revisions to any of the Hope Township portions of the policy are able to be made at any time. The insurance company portions (pertaining to FMLA, etc.) must be left as-is as they are compliant with legislation that is in place.

FEMA Emergency Work – Honey Run Road – Two quotes were obtained for this work to be undertaken. The Committee chose to table a decision on this pending further information gathering requested of Mr. Whitmore. No award was made at this time.

**Approval of Minutes:** The minutes of the September 13, 2023 Business and Executive meetings and the September 27 work and Executive meetings were approved on a motion made by Mr. Urfer, seconded by Mr. Kruk. All in favor.

Mr. Kruk left the meeting at 8:10.

**Public Participation:**

Mrs. Shaw questioned the status of the noise ordinance. The clerk responded that it is currently in the hands of the Township attorney and she anticipates receiving it in time for the work meeting.

Mr. Bodolsky asked several questions regarding the truck traffic work that the Committee has been working on. Mayor McDonough's report above notes a status update.

Mr. Iulo asked several questions regarding truck traffic, the snowplow contract award and a subcommittee being put together to work on a water study in the town center. It was noted that he was given permission to put together his own subcommittee to work on this a couple of months ago.

Ms. Sobon noted a few points of interest for a resident unable to attend the meeting. She questioned having a center line painted on a portion of Lake Just-It where there is none (the Committee will undertake to get this done); a curve sign and another speed limit sign were also requested by the same resident. Mr. Whitmore will look into a curve sign but noted that the ground is solid rock and very hard to put signage into.

**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 7:39 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:

POTENTIAL LITIGATION  
PERSONNEL

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:** 7:39 PM

Present: Committeeman Kruk, Deputy Mayor Urfer, Mayor McDonough.

Also Present: Robin Keggan, Municipal Clerk

Discussion took place regarding Possible Litigation and Personnel Matters.

**Time Out:** 8:07 PM

A motion made by Mr. Urfer, seconded by Committeeman Kruk and carried to return to regular session. No Official Actions were taken in the Executive Session.

Upon re-entering the public session, the members of the Committee discussed the need to start the process to combine our Zoning Board of Adjustment and Planning Boards into one Land Use Board. The clerk will get in touch with the Township attorney to ensure the ordinance that was sent to her last year is still viable and inquire about the application the LUB would need. Outreach will be done to the Chairs of both Boards to get their input on the combining of the Boards.

Seeing there was no other business for tonight, this meeting of the Hope Township Committee was adjourned at 8:19 p.m. on a motion made by Mr. Urfer; seconded by Mayor McDonough. Motion carried.

Robin L. Keggan, RMC  
Municipal Clerk