

WEST AMWELL TOWNSHIP COMMITTEE MEETING
October 20, 2021
Regular Meeting – 7:30 PM

CALL TO ORDER AND STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

The regularly scheduled meeting of the West Amwell Township Committee was called to order at 7:30 PM. Present were Mayor Stephen Bergenfeld, Deputy Mayor James Cally, Committeemen John Dale and Lucas Lyons and Township Clerk Maria Andrews.

Clerk Andrews announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was faxed to the Hunterdon County Democrat and Trenton Times on January 14, 2021, was posted on the bulletin board in the Municipal Building on that date and has remained continuously posted as required under the Statute. A copy of this notice is and has been available to the public and is on file in the office of the Township Clerk.

AGENDA REVIEW BY TOWNSHIP CLERK

Clerk Andrews noted Lieutenant Skillman had forwarded the Class III Contract for review and approval.

ANNOUNCEMENTS

The following announcements were made:

- Kindly Turn Cell Phones Off During the Meeting
- Election Day is Tuesday, 11/2/21
- Free Rabies Clinic is Thurs. 11/4/21 – In the Police Department Garage Area
- Municipal Offices will be CLOSED 11/11/21 – Veterans Day
- There is only ONE Township Committee Meeting in November: 11/17/21

PRESENTATION OF MINUTES

A motion by Dale, seconded by Lyons to approve the Committee's 10/6/21 Open Session minutes as revised was approved by voice vote.

A motion by Dale, seconded by Lyons to approve the Committee's 10/6/21 Closed Session minutes with no revisions noted, was approved by voice vote.

OPEN TO THE PUBLIC/TOPICS NOT ON THE AGENDA

Mayor Bergenfeld opened the floor to public comment. Dave Beaumont of 205 Rock Road West came forward and read the following letter:

Thank you all for the opportunity to speak tonight.

As a WAT community member and someone who has an interest in ensuring our community's children receive the best opportunity for quality education that we can support, and as such, has invested a lot of time participating in discussions related to the upcoming ballot question to raise funds for purposes of renovating LPS building and construction of a new 4-8 school building, I felt compelled to respond to the recent letter from the West Amwell Township committee regarding their position on the matter.

My purpose for speaking is twofold.

*To address some of the statements that were made or implied in the letter by providing better information to voters so they can come to their own conclusion on how they should vote
Encourage the committee to avoid repeating what some of us residents feel was an embarrassing and disappointing communication*

Please know and I want to be clear, I am not questioning or challenging the committee's decision to take the position of opposing the referendum. My comments relate strictly to the content of the letter.

I want to start by making six overall observations about the letter.

While the committee clearly states their opposition to the passage of the referendum, the letter does not provide the reasons why they are in opposition. Without it, a WAT voter, would be left wondering why the opposition and therefore what information are voters missing that would be useful for them in making an informed decision at the ballot box.

Second, the content of the letter suggests the author did not do their due diligence or did not fully understand the project when crafting the letter, nor confirm if the statements contained in the letter were factual and accurate.

Third, as it is written, the intent of the letter seems to sow confusion, and thereby covertly exerting influence on voters to vote No on the referendum based on misinformation. The letter states "...there is a significant amount of propaganda being disseminated by the Board and other municipalities.....", but doesn't provide details. That is an outlandish and unfounded statement to make without providing any examples to support it. How am I as a voter to then judge the credibility of the statement or even the entire letter?

Fourth, the letter does not acknowledge the specific facility and educational issues that the Superintendent has identified as needing attention and the support from the three communities. Nor does the letter offer a better option for voters to consider.

Fifth, the letter implies there were no other options considered by the School Board, nor was there input or participation by community members or municipal representatives. As one who has participated in open public sessions and attended Board meetings as often as I could, I can confirm those implications are flatly incorrect.

The fact is that several options were considered and presented to the Board by the former and current Superintendent. For example, at one point during this multi-year effort, there were at least 10 different options on the table. Most recently, as is outlined in a document posted on the district website, 6 options were considered, including the final recommended solution.

The current Superintendent scheduled and held numerous Zoom based public meetings, met with various groups and organizations as well as individuals and municipal representatives during the development phase of the project proposal, for the purposes of collecting information, input and feedback and suggestions that ultimately led to the final recommendation. All one needs to do is review the referendum material on the district website to understand what had been done leading up to the Board's final approval of the recommended option.

Lastly, and most concerning as a taxpayer, I believe the committee introduced a risk of being sued at the expense of taxpayers. If the letter had simply stated the committee's position and articulated its reasons based on actual facts and educated opinions, I think such a letter would have been a less risky approach. As it is, there is the potential for a lawsuit brought on by another municipality or the school district if the referendum fails, primarily due to the voting results in WAT.

Now, to the specifics.

1. "The logistics ... include busing students from West Amwell and Stockton via North Main Street during commuter rush hour and at times during bad weather which can be logistically challenging."

This seems speculative at best. Students from Stockton are currently being bused to schools in Lambertville and West Amwell during these times with no major issues.

As part of its due diligence, the district commissioned a traffic study earlier this year to evaluate access, traffic circulation, parking, and queuing issues to provide guidance in the development of the site plan. The traffic evaluation has been available on the district website for public review for months. The study concluded that the few buses needed to bring K-4 students into Lambertville would have no effect on traffic.

2. "The referendum ... does not address possible long-term expenses associated with the reconfiguration. For example, the LPS site has been prone to flooding, even as recently as last month, which could require extensive mitigation to prevent future flooding events."

Both statements are incorrect.

First, during the catastrophic flooding caused by Hurricane Ida in early September 2021, the Lambertville School did have some puddles of water in a few classrooms close to Main Street, due to leaking around the classroom doors that lead outside. This was quickly remediated with a mop and some disinfectant.

The last time the Lambertville School actually flooded was during Hurricane Floyd in September 1999. At that time the school had to close for several weeks for expensive repairs. Since then, however, a major flood-control project behind the school, along with other improvements to the building, have prevented such damaging flood events—even in years when other parts of Lambertville experienced significant flooding (2004, 2005, 2006, and 2011, for example). Thanks to those improvements, Lambertville School was ready to reopen the day after Hurricane Ida.

Second, the proposed project includes funds to eliminate the external classroom doors altogether at LPS. The primary purpose of this is to improve security at the school, but it has the added benefit of further reducing the risk of water incursion into the building.

3. “In approximately 2000, the West Amwell Elementary School was improved to extend the life of the building far beyond the ensuing 21 years. While the site is dated, lacks certain resources and is limited with regards to open space for expansion, the infrastructure remains sound and should serve the district well into the future if maintained property.”

The township committee’s assessment that the West Amwell School, which was built in 1952, is “dated, lacks certain resources and is limited with regards to ... expansion” is absolutely correct. But the letter is not specific about what “lacks certain resources” means. West Amwell currently has multiple special education classes sharing a room, which is not conducive to learning. The cinder-block building is not insulated and has no ductwork, making it very expensive to heat and cool. The individual classroom heating and air conditioning units, which date from that 2000-era renovation, are obsolete and are breaking down regularly. Elementary-school students should not have to wear coats in their classrooms during wintertime. The building is not ADA compliant. There is no security vestibule that would prevent unauthorized people from accessing the building. There is not a proper gym or music room.

These problems are not due to a lack of proper maintenance. On the contrary, the South Hunterdon school district, like the pre-regionalization West Amwell board of education, spends tens of thousands of dollars each year on maintenance at West Amwell. In recent years they’ve replaced the water system, refurbished the well-past-its-useful-life trailer, repainted the exterior, and repaired the climate-control units when they break down, among many other repairs.

Between 2015 and 2019, the Board has asked experts in school construction and engineering to investigate West Amwell School’s condition. Based on their findings, the Board concluded that due to the inherent problems with the building, it does not make sense to invest additional millions into refurbishing an aging and space-limited school.

These findings, by the way, were shared with township committee members at an informational meeting (which included a WAES tour hosted by the district’s architect) held with municipal leaders on May 24, 2019. Superintendent Suozzo also shared information about the conditions at West Amwell during a presentation to the West Amwell Township Committee on May 19, 2021, as well as a similar presentation to the Township Planning Board on June 20, 2021. It’s disappointing that committee members would make such a misleading statement despite being fully informed of the facts.

4. “The Lambertville Board of Education members and candidates have publicly stated their intention to abolish the Class III Security Officers who provide for our children’s safety during the school day.”

While it is not clear how the Class III Security Officer program is relevant to the referendum in any way, the statement is both misleading and confusing.

First, there is no such entity as the “Lambertville Board of Education”. However, I assume the committee is referring to the SHRSD board members/candidates who were/are elected by voters in Lambertville. Some, but not all of those members or candidates have, as individuals, stated their opposition to the Class III officer program. However, in April 2021, the Board approved the 2021-22 budget, which included funding for this program, by an 8-1 vote, thereby committing as a Board to maintain the program at all three school locations for the current school year.

Furthermore, the Superintendent of Schools, who is the educational leader of our district and is responsible for safety and security of all students, has recommended maintaining the Class III officer program while continuing to evaluate it for effectiveness. The current Board supports that recommendation.

5. “The question was placed on the ballot by the SHRSD Board of Education ... made up of five members for Lambertville, three members for West Amwell and one member for Stockton. West Amwell has (even when combined with Stockton) minority representation on the school board. This results not in a regional district, rather one centered almost exclusively on the wants and needs of Lambertville City but funded in part, with our tax dollars.”

It appears the author does not understand the concept of a regional school district nor the statutes that regulate the composition of the Board that governs a regional district.

A regional school district is a school district that provides educational services to two or more municipalities. By law, such districts are governed by 9 Board members, unless there are more than 9 municipalities served by the district. The composition of the South Hunterdon board is based on U.S. Census population counts, and calculated according to a state statute, which resulted in the 5-3-1 representation. South Hunterdon is not unique in this regard; other regional districts around the state have a similar board composition.

As to the “wants and needs of Lambertville City”, the implication here is that the board members from Lambertville bullied the Stockton and West Amwell representatives into accepting a plan that is somehow favorable only to the Lambertville community. This is an unfounded accusation. As has been explained to me and from my observations, Board members from West Amwell have taken the lead in developing this plan, and all three board members from our community have repeatedly stated publicly that they fully support the referendum. I have personally confirmed that with each of them. The Board and Superintendent believe that this plan provides the greatest educational benefits for present and future students in all three of our communities, while getting the most from our tax dollars.

6. “Approximately 68 percent of the property tax levy of West Amwell homeowners supports the school system. The proposed expenditure for the building of two schools would place an increased, material tax burden on all of the residents. Residents should consider if this expenditure is prudent particularly at a time of projected declining enrollment of children in our schools.”

The implication here is that taxpayers should expect to incur a long-term, significant tax increase if the referendum passes. While it is true the portion of annual school taxes that goes towards paying off debt will increase if the referendum passes, the increase will only be for four years. Current existing debt will expire in 2026, while the new debt would begin in 2023. So during years 2023, 2024, 2025 and 2026, an average WAT home owner would likely pay an additional \$350 per year in taxes (or roughly \$30 per month), that would go towards paying off the new debt. In 2027, taxes that go towards paying off the current debt would disappear, while taxes towards the new debt would continue until that new debt is paid off. The point here is that over the overlapping four years, an average home owner will pay an extra \$1400 in school taxes in total (\$350x4 years), after which the tax will drop down back to current levels.

So for me, the correct question that township residents should consider is whether it is reasonable and prudent for an average home owner to pay an extra \$1400 in taxes over a four-year period in order to support this project?

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No taxpayer wants to see their taxes go up. However, the evidence suggests that approving this referendum would have a stabilizing influence on local school taxes. The cost of the project will be spread over thirty years, the state of NJ has committed to pay nearly \$7 million toward the project, and the reconfiguration of schools should ease the school district's annual budget thanks to anticipated savings in personnel and operational costs, as well as reduced maintenance costs.

In closing, I want to thank the committee for the opportunity to share my reaction and response to their position letter.

Boyd Hartpence of 5 Hunter Road came forward and stated he remembers 35 years ago when Caroline Deal spoke with his father about the municipal building property potentially being the future site for West Amwell School. He asked if this was still a possibility. Mayor Bergenfeld commented that the High School has already been approached about building a school on the Municipal Township property.

Sean Pfeiffer of 74 Rocktown-Lambertville Road came forward and thanked the Committee for sending out the letter explaining the proposed school referendum. He asked if inflation costs were built into the amount being sought. Mr. Pfeiffer also commented on the school utilizing the municipal property for their practice soccer fields. He noted that the property will need to be put back on to the Recreation & Open Space Inventory (ROSI) if the school intends to continue to use the fields. Lastly, Mr. Pfeiffer remarked that he had reviewed the school's 2020-2021 program and expressed concern as a taxpayer, that there are no alternative classes being offered to the social justice – racial, sexual, cultural, gender classes.

Jim Gallagher, a Stockton Borough resident and SHRSB Board Member came forward and explained that if the referendum passes, the school will go out to BID for a contractor and try to get the best possible price for the project.

Jen Batchellor of 158 Rocktown-Lambertville Road came forward and thanked the Committee for updating the website and then asked if it would be possible to get a link up to the proposed solar project expected to be installed on the municipal building property. Ms. Batchellor then commented on County Commissioner Zach Rich being instrumental in securing funding for the new vocational school being built on the North Hunterdon High School campus. She suggested the Township reach out to see if the County can help with the funding for the proposed school project here.

Jim Gallagher spoke up again and asked if Mr. Beaumont could write something up for the website to provide additional information to the public. He also commented that he took offense to the bulleted comment in the Township Committee's letter stating the make-up of the school board results not in a regional representation, but rather one centered almost exclusively on the wants and needs of Lambertville. Mr. Gallagher remarked that he recalls meetings in 2019 with Mr. Cally and Mr. Hoyer where various school proposals were discussed and he asked the Committee to revise their statement.

Seeing no other members of the public come forward, a motion was made by Cally and seconded by Dale to close the floor to public comment. The motion was unanimously approved by voice vote.

Reports by Department Heads

It was noted for the record that no reports were given by any department heads.

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

It was noted for the record that Mayor Bergenfeld recused himself from the meeting at this time.

Introduction: Ordinance 10, 2021 – AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON TO AMEND CHAPTER 109, "LAND DEVELOPMENT," PART 10 "CANNABIS," ARTICLE XLIII "CANNABIS RELATED BUSINESSES," TO REVISE THE PERMITTED CONDITIONAL USE ZONES AND TO ADD REGULATIONS REGARDING MICRO CANNABIS CULTIVATION

Deputy Mayor Cally read Ordinance 10, 2021 by title.

**THE TOWNSHIP OF WEST AMWELL
COUNTY OF HUNTERDON, NEW JERSEY
ORDINANCE 10, 2021**

**AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST AMWELL IN
THE COUNTY OF HUNTERDON TO AMEND CHAPTER 109, "LAND DEVELOPMENT," PART 10 "CANNABIS,"
ARTICLE XLIII "CANNABIS RELATED BUSINESSES," TO REVISE THE PERMITTED CONDITIONAL USE ZONES
AND TO ADD REGULATIONS REGARDING MICRO CANNABIS CULTIVATION**

WHEREAS, the Township Committee adopted Ordinance 6, 2021 to create an ordinance to regulate Cannabis related businesses; and

WHEREAS, the Township Planner has made some recommendations for revisions to be made to the Cannabis ordinance to ensure that the use was a permitted conditional use in the most appropriate zones and to add regulations regarding Micro Cannabis Cultivation; and

WHEREAS, the Township Committee wishes to make the revisions recommended by the Township Planner.

NOW, THEREFORE, BE IT ORDAINED, by the Committee of the Township of West Amwell, County of Hunterdon that the Code of the Township of West Amwell be amended as follows:

Section 1. The following revisions are made to **§109-264(C)(3)(b)(i)**:

(i) Adherence to the site design standards of the Township Land Development Ordinance through a review by the Zoning Official, and the Township Planning Board when applicable, is required. The look and design of such facility shall be in keeping with the agricultural nature of the region.

Section 2. The following revisions are made to **§109-264(C)(4)(a)**:

(a) Standalone cultivation centers shall be permitted as conditional uses in the following zones in accordance with this chapter.

(i) LHC
(ii) NC
~~(iii) SRPD~~
~~(iv) (iii) LI~~
~~(v) RR4, RR5 and RR6~~

Section 3. The following revisions are made to **§109-264(C)(4)(b)(i)**:

(i) Adherence to the site design standards of the Township Land Development Ordinances through a review by the Zoning Official, and the Township Planning Board when applicable, is required. The look and design of such facility shall be in keeping with the agricultural nature of the region.

Section 4. The following revisions are made to **§109-264(C)(5)(a)**:

(5) Cannabis manufacturing facilities.

(a) Standalone manufacturing facilities shall be permitted as a conditional use in the following zones in accordance with this chapter.

(i) LHC
(ii) NC
~~(iii) SRPD~~
~~(iv) (iii) LI~~

Section 5. The following revisions are made to **§109-264(C)(5)(b)(i)**:

(i) Adherence to the site design standards of the Township Land Development Ordinances through a review by the Zoning Official, and the Township Planning Board when applicable, is required. The look and design of such facility shall be in keeping with the agricultural nature of the region.

Section 6. The following revisions shall be added as **§109-264(C)(7)**:

(7) Micro Cannabis cultivation.

(a) Standalone micro cultivation facilities shall be permitted as conditional uses in the following zones in accordance with this chapter.

- (i) LHC
- (ii) NC
- (iii) SRPD
- (iv) LI
- (v) RR4, RR5, RR6

(b) Micro Cannabis Cultivation facilities shall be permitted subject to the following criteria:

- (i) A minimum lot size of eight (8) acres.
- (ii) Adherence to the site design standards of the Township Land Development Ordinances through a review by the Zoning Official, and the Township Planning Board when applicable, is required. The look and design of such facility shall be in keeping with the agricultural nature of the region.
- (iii) In compliance with Section 37(b) of the NJ CREAMMA, cultivation centers are not permitted on land that is valued, assessed or taxed as an agricultural or horticultural use pursuant to the "Farmland 6 Assessment Act of 1964," P.L.1964, c.48 (C.54:4-23.1 et seq.).
- (iv) Issuance of zoning permit and site plan approval is required.
- (v) Micro Cultivation facilities shall not be located immediately adjacent to school property used for school purposes which is owned by or leased to any elementary or secondary school or school board).
- (vi) Secured in accordance with all applicable provisions as defined in the Act and outlined in Subsection G below.
- (vii) No signage other than directional or discrete building identification found in shall be permitted. Signage shall remain innocuous and part of the general directional signage typically found in industrial manufacturing facilities. Facade signs will be limited to those at the point of entry to the facility and may not be more than six square feet.
- (viii) Unusual odors, smells, fragrances or other olfactory stimulants shall be prohibited. Odor mitigation filtration systems must be installed and maintained in perfect working order.
- (ix) Light pollution, glare or brightness resulting from glow lamps must be 0.5 candle or less at the property line
- (x) Noise beyond the decibel level permitted by Township noise ordinances shall be prohibited.

(xi) The cultivation of cannabis must be conducted indoors and shall not be permitted on exterior portions of a lot, unless under Special Permit for the Cultivation of Hemp that is in conformance with Federal Agriculture Improvement Act of 2018 (2018 Farm Bill). The cultivation of cannabis within a building or unit must not be perceptible from the exterior of the building or unit from a street or residential use.

Section 7. **§109-264(C)(7) “Cannabis Delivery Service”** shall be re-numbered as **§109-264(C)(8)** without and revisions to the body of the section.

Section 8. **§109-264(C)(8) “Microbusinesses”** shall be re-numbered as **§109-264(C)(9)** without and revisions to the body of the section.

Section 9. All other Sections and subsections not specifically revised or renumbered in this Ordinance shall remain unchanged.

Section 10 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 11. Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 12. Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

ATTEST

By Order of the Township Committee

Maria Andrews, Township Clerk, RMC

James Cally, Deputy Mayor

A motion by Dale, seconded by Cally to introduce Ordinance 10, 2021 upon first reading was approved by roll call vote.

Cally: Yes, Dale: Yes, Lyons: Yes

It was noted for the record that the public hearing on Ordinance 10, 2021 will be scheduled for the 11/17/21 meeting.

Mayor Bergenfeld returned to the meeting at this time.

STANDING COMMITTEE REPORTS

- A. Open Space: No report given.
- B. Environmental: No report given.
- C. Ag Advisory: No report given.
- D. Finance Committee: No report given.

UNFINISHED BUSINESS

It was noted for the record that there were no unfinished business matters listed on the agenda.

NEW BUSINESS/OTHER

Resolution #84-2021: Authorizing Refund of Redemption Monies to Lien Holder – Block 7 Lot 13

RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIEN HOLDER RESOLUTION #84-2021

WHEREAS, the Township of West Amwell sold at the Municipal Tax Sale held on November 18, 2020, a lien on Block 7 Lot 13, also known as 27 Queen Road in West Amwell Township, for 2019 delinquent taxes; and,

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WHEREAS, this lien, known as Tax Sale Certificate #20-2, was sold to US Bank CUST/PRO CAP8/PRO CAPITAL for a 18% redemption fee; and,

WHEREAS, the amount of \$592.86 has been received from Dovenmuehle Mortgage, Inc. for the owner of the property for redemption of Certificate #20-2,

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check, and the Mayor, Clerk, and Treasurer be authorized to sign a check in the amount of \$592.86 payable to Pro Cap 8, LLC for the redemption of Tax Sale Certificate #20-2.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Tax Collector and Finance Officer.

By Order of the Township Committee,

Stephen Bergenfeld, Mayor

A motion by Cally, seconded by Dale to approve Resolution #84-2021 was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes, Lyons: Yes, Bergenfeld: Yes

Resolution #85-2021: Establishing a Reserve for Storm Recovery Funds

Resolution #85-2021

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
BY RIDER FOR **SNOW REMOVAL RESERVE TRUST FUND**
REQUIRED BY **40A:4-62.1**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is subject to reasonably accurate estimates in advance; and'

WHEREAS, N.J.S.A.40A:4-62.1 provides for receipt of unexpended current year budget appropriations by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A.40A:4-62.1 provides the dedicated revenues anticipated from the Snow Removal Reserve Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of West Amwell, County of Hunterdon, New Jersey as follows:

The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Snow Removal Reserve Trust Fund, N.J.S.A. 40A:4-62.1

The Clerk of Township of West Amwell, County of Hunterdon is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Adopted this 20th day of October, 2021
and certified as a true copy of an original.

Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Dale to approve Resolution #85-2021 was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes, Lyons: Yes, Bergenfeld: Yes

Resolution #86-2021: Establishing an Accumulated Absence Liability Fund

Resolution #86-2021

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
BY RIDER FOR **ACCUMULATED ABSENCES LIABILITY FUND**
REQUIRED BY **NJAC 5:30-15**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is subject to reasonably accurate estimates in advance; and'

WHEREAS, NJAC 5:30-15 provides for receipt of unexpended current year budget appropriations by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, NJAC 5:30-15 provides the dedicated revenues anticipated from the Accumulated Absences Liability Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of West Amwell, County of Hunterdon, New Jersey as follows:

The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Accumulated Absences Liability Trust Fund, NJAC 5:30-15

The Clerk of Township of West Amwell, County of Hunterdon is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Adopted this 20th day of October, 2021
and certified as a true copy of an original.

Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Dale to approve Resolution #86-2021 was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes, Lyons: Yes, Bergenfeld: Yes

Discussion: Hiring a Part Time Employee in the Construction Office

Mayor Bergenfeld noted that Construction Official Phil Rosso has requested a part time Office Assistant be hired to help the Office Manager keep up with the increased work load. The Committee commented that both offices covered by Ms. Brewi; the Construction/Zoning Office as well as the Tax Collector Office need to be covered when Ms. Brewi is out. It was noted for the record that Clerk Andrews will post the job on the Township website and place an ad with the League of Municipalities for posting on their website.

Acknowledgement: Best Practice Inventory

It was noted for the record that the Committee acknowledged receipt of the Best Practice Inventory provided by CFO Mustafa.

OPEN TO THE PUBLIC

Mayor Bergenfeld opened the floor to public comment. Dave Beaumont of 205 Rock Road West came forward again and clarified that the referendum amount is fixed and that any inflation in materials "is what it is."

Seeing no other members of the public come forward, a motion was made by Cally and seconded by Dale to close the floor to public comment. The motion was unanimously approved by voice vote.

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ADMINISTRATIVE

Treasurer – 10/20/21 Bill List

A motion by Dale, seconded by Lyons to approve the vouchers for payment as listed on the 10/20/21 bill list was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes, Lyons: Yes, Bergenfeld: Yes

OTHER

Resolution #87-2021: Closed Session – Personnel/Contracts – Litigation/Affordable Housing

Resolution #87-2021

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

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

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NOW, THEREFORE BE IT RESOLVED by the Committee of West Amwell Township, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows: Mt. Laurel Litigation, personnel, contracts and subjects falling under Attorney-Client privilege.
3. It is anticipated at this time that the above stated subject matter will be made public when the matter has been resolved.

This resolution shall take effect immediately.

Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Dale to approve Resolution #87-2021 and enter into Closed Session was unanimously approved by voice vote.

A motion by Dale, seconded by Cally to return to Open Session was unanimously approved by voice vote.

Upon returning to Open Session, the Township Committee authorized the Class III Contract to be signed and forwarded to Superintendent Suozzo.

It was noted for the record that the Committee was in Closed Session from 8:40 PM – 10:20 PM.

CORRESPONDENCE

It was noted for the record that the Committee ordered the correspondence listed on the agenda to be filed.

ADJOURNMENT

A motion by Cally, seconded by Dale to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 10:25 PM.

Maria Andrews, Township Clerk, RMC

Approved: 11/17/21