

WEST AMWELL TOWNSHIP COMMITTEE MEETING
October 6, 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 Gary Hoyer 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 under New Business, there will be a discussion on a Memo of Understanding from the City of Lambertville regarding the use of a track loader and a discussion on Stymiest Road.

ANNOUNCEMENTS

The following announcements were made:

- Kindly Turn Cell Phones Off During the Meeting
- Municipal Offices will be CLOSED Monday 10/11/21 – Columbus Day
- Election Day is Tuesday, 11/2/21
- Free Rabies Clinic is Thurs. 11/4/21 – In the Police Department Garage Area
- Delaware River Clean-up: Saturday 11/16/21 from 8:30 AM – 11:30 AM

PRESENTATION OF MINUTES

A motion by Dale, seconded by Cally to approve the Committee's 9/15/21 minutes with no revisions noted was approved by voice vote.

A motion by Hoyer, seconded by Dale to approve the Committee's 9/15/21 Closed Session minutes with no revisions noted was unanimously 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 gave an update on the equalized valuation noting this year the Township is at 101.45% with last year's number being 100.79%. Mr. Beaumont remarked that some houses sold for slightly below the assessed value. He then added that he believes the Township has saved approximately \$3 million due to the school regionalization.

Mr. Beaumont also asked about ownership of certain pages on the Township website for the purposes of updating and maintenance. Mayor Bergenfeld suggested Mr. Beaumont speak with the new CFO regarding the maintenance of any pages with budgetary information.

Betty Jane Hunt came forward on behalf of the Historic Preservation Committee and thanked everyone who helped with the 175th Anniversary Celebration noting it was a great day! Deputy Mayor Cally thanked Ms. Hunt for all of the time and effort she put into running the event.

Next, Ms. Hunt requested the kitchen equipment at the Fire House be allowed to stay there until she figures out where it can be moved to. It was noted for the record that the Committee took no issue with the kitchen equipment being left at the Fire House.

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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Reports by Department Heads

OEM Director Harry Heller came forward and handed out a flow chart depicting the FEMA Funding Process. He noted he has been working with FEMA and submitting the requested information in the hopes of getting a reimbursement for the Township.

Mayor Bergenfeld noted DPW Director Rollero's email received earlier in the day with an update on the status of the Township's roads. It was noted that repairs on Hunter, Rocktown-Lambertville, Mill and Lakeview Roads have all been completed. Pending repairs are still on-going on Stymiest, Barry, Rock Road East and Alexauken Creek Road's.

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

Public Hearing: Ordinance 08, 2021 – AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON TO AMEND CHAPTER 88, "FIRE PREVENTION," ARTICLE I "UNIFORM FIRE CODE ENFORCEMENT," SECTION 8 "REQUIRED INSPECTIONS, PERMIT AND FEES" TO UPDATE THE FEES

Mayor Bergenfeld read Ordinance 08, 2021 by title.

**THE TOWNSHIP OF WEST AMWELL
COUNTY OF HUNTERDON, NEW JERSEY
ORDINANCE 08, 2021**

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON TO AMEND CHAPTER 88, "FIRE PREVENTION," ARTICLE I "UNIFORM FIRE CODE ENFORCEMENT," SECTION 8 "REQUIRED INSPECTIONS, PERMIT AND FEES" TO UPDATE THE FEES

WHEREAS, the Township Fire Inspector has made some recommendations to the Township Committee for changes to the fire inspection fees; and

WHEREAS, the Township wishes to make the changes recommended by the Township Fire Inspector; and

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 Chapter 88, FIRE PREVENTION, Article I "UNIFORM FIRE CODE ENFORCEMENT," SECTION 8 "REQUIRED INSPECTIONS, PERMIT AND FEES":

§88-8 Required Inspections, Permit and Fees

- A. All structures, except one- or two- family owner-occupied properties, one- or two- family rentals properties and agricultural buildings, shall be inspected annually. The fee for each building or structure at least 1000 square feet or more shall be \$60.
- B. Any structure or event that is required to have a permit will obtain permit application and pay proper fee that is set forth in the Uniform Fire Code and have an inspection by Fire Official prior to event or use.
 1. Type 1: shall be \$60, unless a higher fee is adopted by the N.J. Uniform Fire code, N.J.A.C. 5:70-2.9(c)(1).
 2. Type 2: shall be \$215, unless a higher fee is adopted by the N.J. Uniform Fire code, N.J.A.C. 5:70-2.9(c)(2).
 3. Type 3: shall be \$430, unless a higher fee is adopted by the N.J. Uniform Fire code, N.J.A.C. 5:70-2.9(c)(3).
 4. Type 4: shall be \$641, unless a higher fee is adopted by the N.J. Uniform Fire code, N.J.A.C. 5:70-2.9(c)(4).
 5. Type 5: which is currently reserved and has no fee, unless a fee is adopted by the N.J. Uniform Fire Code, N.J.A.C. 5:70-2.9(c)(5).
- C. Fee structure for life hazard uses in buildings and around buildings is based on fee schedule set forth by the State of New Jersey Uniform Fire Code.
- D. Fee schedule for non-life-hazard uses is based on fee schedule below.

Fees for Inspection of Non-Life-Hazard Uses

UCC Code Type		Annual Fee
Business Use Group	Under 2,500 square feet	\$75
	2,500 through 4,999 square feet	\$100
	5,000 through 9,999 square feet	\$150
	10,000 square feet and over	\$200
Factory Use Group		
F-1	Under 6,600 square feet	\$200
	Under 12,000 square feet	\$400
F-2	Under 6,600 square feet	\$200
	Under 12,000 square feet	\$400
Mercantile Use Group		
M-1	Under 6,000 square feet	\$150
M-2	6,000 through 11,999 square feet	\$300
Storage Use Group		
S-1	Under 6,000 square feet	\$75
	Under 12,000 square feet	\$150
S-2	Under 10,000 square feet	\$75
	Under 10,000 square feet	\$150
Residential Use Group		
	3 to 6 units	\$75
	7 to 12 units	\$150
	13 to 20 units	\$250
	Over 20 units	\$400
Utilities Use Group		
U-1	Under 2,500 square feet	\$75
U-2	2,500 square feet and over	\$125
Assembly Use Group		
	Under 5,000 square feet	\$175
	Over 5,000 square feet	\$300

NOTES:

1. Uses not classified above will be classified as business uses.
2. Uses required to be registered with the state as life hazards uses shall not be required to register under this subsection.
3. Any buildings, structures or premises that are tax exempt according to the official tax records of the Township will be exempt from the non-life-hazard use registration fee. However, these buildings will be inspected as required by the Uniform Fire Code.
4. Vacant buildings will be charged and inspected according to the previous use of the building.
5. Residential uses shall be inspected in the common areas and each dwelling unit.
6. Exceptions: Any not-for-profit building that is not a life hazard use will be exempt from fee but still must be inspected and any violations abated.

E. The application fee for a certificate of smoke detector compliance, CSDSMAC, as required by N.J.A.C. 5:70-2.3, shall be \$75 with more than 10 days' notice; with four to 10 days' notice; and, \$175 with less than four days' notice.

Section 3 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 4 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 5 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Hoyer to open the floor to public comment on Ordinance 08, 2021 was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes, Hoyer: Yes, Bergenfeld: Yes

Seeing no 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.

A motion by Cally, seconded by Hoyer to adopt Ordinance 08, 2021 was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes, Hoyer: Yes, Bergenfeld: Yes

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

Update: PennEast Status

The Committee noted receipt of an email dated 9/27/21 Environmental Committee Chairman Mike Spille indicating the pipeline project is dead.

NEW BUSINESS/OTHER

Discussion: Relocation of OEM Office

Mayor Bergenfeld explained that the phone lines in the OEM Office that used to be in the former Police Headquarters have been disconnected and there is no room in the basement for OEM to move in to at the new location. Director Heller would like to operate out of the corner office off the lobby of the Municipal Building. It was noted this office has its own side entrance and would be a good fit for OEM. The Committee supported the relocation of the OEM Office.

Discussion: Replacement of Police Patrol Unit 26-14

Mayor Bergenfeld explained that Police Patrol Unit 26-14 was totaled during Hurricane Ida. He noted Police Lieutenant Skillman is requesting the Township relinquish ownership of the vehicle and accept the payout value established by the insurance company. The Committee supported Lieutenant Skillman's request.

Discussion: SHRHS Referendum

Mayor Bergenfeld opened the floor to public comment. School Board President Kevin Koveloski came forward and expressed support for the referendum. He noted there is no perfect plan but stated he believes the proposal will help every student and encompasses all 3 buildings. He requested that everyone stay neutral and allow the taxpayers to vote on it.

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Dave Beaumont of 205 Rock Road West came forward and stated his focus is on the tax impact. He expressed that he believes there are 4 options:

1. Do nothing
2. Address the “must do” projects (*including ADA requirements over a period of 8-10 years*)
3. Consider a smaller referendum to accomplish the “must do” projects over a shorter period of time
4. Put forth the full \$27 million referendum

Mr. Beaumont commented that for example a tax increase of \$1400 would spread over a 4 year period or the increase could be delayed 6 years, and spread over a period of 20 years. He remarked that in his opinion it makes sense to spend the money now and not delay it, and he urged the Committee to remain neutral with regard to the referendum.

Stockton resident James Gallagher came forward as a member of the school board and referred to the comments made by Planning Board Chairman Rob Tomenchok in the Township Committee’s 9/15/21 minutes where he “...expressed concern over the lack of regular maintenance on structures...” Mr. Gallagher commented that the buildings are being maintained and stressed the importance of the referendum passing which he believes would be beneficial to all of the students.

Committeeman Hoyer complimented Superintendent Suozzo on a tremendous job getting the referendum information out to the public.

Discussion: Stymiest Road

There was a discussion on the damages to Stymiest Road as a result of Hurricane Ida and the on-going costs to continuously maintain the road. A suggestion was made on possibly considering a special assessment tax.

Mayor Bergenfeld commented on the storm damage at Hewitt Park and noted Parks and Recreation Chairman Joe Petrucci is working on getting quotes for some of the repair work.

Discussion: Memo of Understanding from Lambertville, re: Borrowing the Track Loader

Mayor Bergenfeld explained that West Amwell has rented a track loader to address repairs after Hurricane Ida and Lambertville wanted to borrow it. Mayor Bergenfeld remarked that DPW Director Rollero indicated the equipment is no longer in that part of the Township where it would have been convenient for Lambertville to have briefly borrowed/used it, and at this point Director Rollero has it scheduled for repair work throughout the municipality for the entire 30 day rental period.

It was the consensus of the Committee to recommend Lambertville simply rent their own track loader.

OPEN TO THE PUBLIC

Mayor Bergenfeld opened the floor to public comment. Dave Beaumont of 205 Rock Road West came forward and asked for some clarification on the 9/15/21 Township Committee meeting minutes.

School Board President Kevin Koveloski came forward and complimented the Committee on a great job with the Police Department renovation. He also noted the 6th graders made about \$400 at the 175th Anniversary Celebration with their fundraiser and expressed what a great event it was.

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.

OTHER

Resolution #83-2021: Closed Session – Personnel/Contracts – Litigation/Affordable Housing

Resolution #83-2021

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 Dale, seconded by Hoyer to approve Resolution #83-2021 and enter into Closed Session was unanimously approved by voice vote.

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

It was noted for the record that the Committee was in Closed Session from 8:37 PM – 9:43 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 Dale, seconded by Hoyer to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 9:45 PM.

Maria Andrews, Township Clerk, RMC

Approved: 10/20/21