

WEST AMWELL TOWNSHIP COMMITTEE MEETING
February 7, 2024
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 James Cally, Deputy Mayor Gary Hoyer, Committee Members Stephen Bergenfeld, Meghan Hudson and Bob Balaam along with Township Clerk Maria Andrews and Township Attorney Mark Peck.

Mayor Cally 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 11, 2024, 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.

FLAG SALUTE

Mayor Cally led those in attendance in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

Clerk Andrews noted there were no changes to the posted agenda.

ANNOUNCEMENTS

The following announcements were made:

- 2024 Dog License Renewals were due by 1/31/24 – Late Fees Now Apply
- Municipal Offices will be CLOSED Monday 2/19/24 – President's Day
- Primary Petition Filing Deadline is 4 PM on Monday 3/25/24
- Kindly Turn Cell Phones Off During the Meeting

PRESENTATION OF MINUTES

A motion by Bergenfeld, seconded by Hoyer to approve the Committee's 1/17/24 regular and closed session minutes with no revisions noted was unanimously approved by voice vote.

OPEN TO THE PUBLIC/TOPICS NOT ON THE AGENDA

Mayor Cally opened the floor to public comment. Seeing no members of the public who wished to speak, Mayor Cally closed the floor to public comment.

SPECIAL PRESENTATIONS

Reports by Department Heads

Tax Assessor Nicole Izzo was present at the meeting and highlighted the following details regarding the Township reassessment:

- 25% of the township has been inspected
- All commercial properties for the 2024 reassessment have been inspected
- There is a low vacancy status among commercial properties
- The Township value is up 12% in 2024 due to the construction of the Dollar General store and some properties being reclassified
- The average home value in 2023 was \$507,659
- The average home value in 2024 has risen to \$527,520
- The average increase among residential properties is 4.5%

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

It was noted for the record that there were no ordinances listed on the agenda for action.

RESOLUTIONS

Resolution #29-2024: Nalence Junkyard Permit Renewal

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Resolution #29-2024

WHEREAS, Steve Nalence of Nalence Auto, located at 1511 Hwy. 179, Block 35 Lot 6 has applied for renewal of a junkyard permit in accordance with Chapter 108 of the Township Code; and

WHEREAS, the office has not received complaints concerning the operation of this facility; and

WHEREAS, the \$100.00 permit fee has been received; and

WHEREAS, the Tax Collector has certified that the taxes are paid and current; and

NOW THEREFORE BE IT RESOLVED by the West Amwell Township Committee that a permit to operate a junkyard be issued to Nalence Auto, 1511 Hwy. 179 for 2024.

Certification

I hereby certify the foregoing to be a true copy of a resolution adopted by the West Amwell Township Committee at their regular meeting held on February 7, 2024.

Maria Andrews, Township Clerk, RMC

Mr. Nalence was present at the meeting and explained he has retired from the tire repair business but still operates the junkyard. He clarified that it is primarily resale of parts, fixing old cars and creating art projects/sculptures out of the steel.

A motion by Hudson, seconded by Balaam to approve Resolution #29-2024 was unanimously approved by roll call vote.

Balaam: Yes, Bergenfeld: Yes, Hoyer: Yes, Hudson: Yes, Cally: Yes

Resolution #34-2024: Opposing Legislation A-4 and S-4251; re: COAH

RESOLUTION #34-2024
WEST AMWELL TOWNSHIP, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY TO OPPOSE A-4 and S-4251

WHEREAS, legislation is being considered by the State Legislature, A-4 and S-4251 (the "Legislation"), which will abolish the Council on Affordable Housing; reform the responsibilities of municipalities concerning the provision of affordable housing; and appropriate \$16 million for State costs relative thereto; and

WHEREAS, the Legislation would also establish a process whereby a municipality shall determine its own present and prospective fair share affordable housing obligation based on the formulas established in the Legislation and as calculated by three court-appointed obligation special masters, representing the northern, central, and southern areas of the State; and

WHEREAS, the Legislation requires that a municipality adopt its' obligation by binding resolution no later than January 31, 2025 in order to be assured of protection from a builder's remedy lawsuit through which a municipality may otherwise be compelled to permit development, when the fourth round begins; and

WHEREAS, if the municipality adopts a binding resolution, then the municipality's determination of its obligation would be established by default, without any approval, as the municipality's obligation for the fourth round; however this determination is not final, for a challenge of the determination may still be filed with the Affordable Housing Dispute Resolution Program (the "Program"), which would then be required to facilitate the same; and

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WHEREAS, the Legislation would also require that municipalities further amend its' housing element and fair share plan to comport with the municipality's obligation for the fourth round; and

WHEREAS, the Legislation would appropriate \$12 million from the State's General Fund to the Program and \$4 million to the Administrative Director of the Courts, but would result in an indeterminate financial impact to municipalities, which have already expended significant funds on compliance with the current and prior affordable housing legislation imposed by the State; and

WHEREAS, the Legislation would impose a significant administrative and financial burden on municipalities in order to re-establish a new framework for the calculation of affordable housing obligations; and

WHEREAS, the governing body of West Amwell Township strongly believes that the Legislation will result in a substantial detriment to municipalities and an unnecessary burden on the Courts.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of West Amwell Township strongly opposes A-4 and S-4251 and urges the Legislature to vote no on the same; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Senate President Nicholas P. Scutari, Assembly Speaker Craig Coughlin, Senator Douglas J. Steinhart, Assemblyman John Dimaio, Assemblyman Erik C. Peterson, Governor Phil Murphy and New Jersey State League of Municipalities.

By: _____
James Cally, Mayor

Certified to be a true copy of a Resolution adopted this 7th day of February 2024.

By: _____
Maria Andrews, Township Clerk, RMC

Committeewoman Hudson remarked the Council on Affordable Housing (COAH) is being replaced by the Department of Community Affairs (DCA). She asked Attorney Peck if she needed to abstain from voting on the Resolution because she works for a division of the DCA. Attorney Peck said no because the resolution is regarding legislation.

A motion by Bergenfeld, seconded by Hoyer to approve Resolution #34-2024 was unanimously approved by roll call vote.

Balaam: Yes, Bergenfeld: Yes, Hoyer: Yes, Hudson: Yes, Cally: Yes

Resolution #35-2024: Appointing 2024 Statewide Insurance Risk Management Consultant

Resolution #35-2024 is a pdf file from Statewide Insurance and will be attached to the minutes separately.

A motion by Bergenfeld, seconded by Hudson to approve Resolution #35-2024 was unanimously approved by roll call vote.

Balaam: Yes, Bergenfeld: Yes, Hoyer: Yes, Hudson: Yes, Cally: Yes

NEW BUSINESS/OTHER

Acknowledgement: Annual Hell of Hunterdon Cycle Event – 3/24/24

It was noted for the record that the Committee took no issue with the annual cycle event.

Acknowledgement: SHR Band Parent's Association 50/50 Raffle: 3/16/24

It was noted for the record that the Committee acknowledged the raffle taking place on 3/16/24 at the High School.

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Acknowledgement: SHR Band Parent's Association Tricky Tray Raffle: 3/16/24

It was noted for the record that the Committee acknowledged the raffle taking place on 3/16/24 at the High School.

Discussion: Request to Host Historical Society Presentation

Committeeman Bergenfeld expressed no interest in having this presentation take place during a Township Committee meeting and suggested they come prior to a meeting and we help get the word out, or they could coordinate with the Township's Historic Preservation Committee on hosting the event. Committeewoman Hudson stated she will bring it up at the next Historic meeting.

Discussion: Community Solar Project

It was noted for the record that this matter will be tabled to the Committee's 2/21/24 meeting.

Discussion: Addendum to GMNJ Developer's Agreement

It was noted for the record that this matter was pulled from this evening's agenda.

UNFINISHED BUSINESS

It was noted for the record that there were no Unfinished Business matters listed on the agenda.

STANDING COMMITTEE REPORTS

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

OEM Director Harry Heller updated the Committee on a ZOOM meeting with JCP&L tomorrow, which he will be participating in, regarding their infrastructure.

Committeewoman Hudson noted John Thompson has resigned from the Historic Preservation Committee. She remarked that he was the Committee's Chairman and indicted there doesn't seem to be any interest among the rest of the members to take on the position. She stated she will keep the Committee updated on the matter.

ADMINISTRATIVE

A motion was made by Bergenfeld and seconded by Hudson approving the 1/23/24 and 1/29/24 bill lists. The motion was unanimously approved by roll call vote.

Balaam: Yes, Bergenfeld: Yes, Hoyer: Yes, Hudson: Yes, Cally: Yes

OPEN TO THE PUBLIC

A motion by Bergenfeld, seconded by Hoyer to open the floor to public comment was unanimously approved by voice vote. Dave Beaumont of 205 Rock Road West came forward and expressed how impressed he is with Assessor Izzo's knowledge. He commented on the Township's equalized valuation and the noise test conducted at the GMNJ property. Specifically, Mr. Beaumont referred to N.J.A.C. 7:29. Committeemen Balaam and Bergenfeld remarked the noise tests are conducted at the GMNJ property lines. Mr. Beaumont questioned whether this testing location was accurate under the administrative code.

Seeing no other members of the public who wished to speak, a motion was made by Bergenfeld and seconded by Hoyer to close the floor to public comment. The motion was unanimously approved by voice vote.

OTHER

Resolution #36-2024: Closed Session – Personnel/Contracts – Litigation/Affordable Housing and Matters Falling Under Attorney Client Privilege

A motion was made by Balaam and seconded by Hoyer to approve Resolution #36-2024 and enter into closed session. The motion was unanimously approved by voice vote.

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Resolution #36-2024

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,

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 the expected 30 minute discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows: Personnel/Contracts – Litigation/Affordable Housing and matters falling under attorney client privilege. Action may be taken.
3. As nearly as can be ascertained, the matter or matters to be discussed during this closed session will be disclosed to the public when such matters are resolved.
4. This resolution shall take effect immediately.

Maria Andrews, Township Clerk, RMC

It was noted for the record that the Committee was in closed session from 8:17 PM – 9:23 PM.

ADJOURNMENT

A motion by Bergenfeld, seconded by Balaam to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 9:24 PM.

Maria Andrews, Township Clerk, RMC

Approved: 2/21/24