

WEST AMWELL TOWNSHIP COMMITTEE MEETING
March 15, 2023
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 Gary Hoyer, Committee Members Stephen Bergenfeld, James Cally, John Dale and Meghan Hudson along with Township Clerk Maria Andrews and Township Attorney William Pandos.

Mayor Hoyer 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, 2023, 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 Hoyer led those in attendance in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

Clerk Andrews noted the 3/14/23 bill list will be added under Administrative Reports for the Treasurer, and Resolution #41-2023: Budget Transfers will be added under Resolutions.

ANNOUNCEMENTS

The following announcements were made:

- Primary Ballot Filing Deadline is 3/27/23 by 4 PM
- Kindly Turn Cell Phones Off During the Meeting

PRESENTATION OF MINUTES

A motion by Cally, seconded by Dale to approve the 3/1/23 regular session meeting minutes as revised was unanimously approved by voice vote.

A motion by Cally, seconded by Dale to approve the 3/1/23 closed session meeting minutes with no revisions noted was unanimously approved by voice vote.

OPEN TO THE PUBLIC/TOPICS NOT ON THE AGENDA

Mayor Hoyer opened the floor to public comment.

Harry Gordon of 17 Old River Road came forward and expressed concern over the turn around area at the end of Old River Road. He stated the owner of the property is getting estimates to repair the bridge and has turned in applications in Hopewell Township to construct 4 homes up the hill at the end of Old River Road which will increase traffic. Mr. Gordon commented that he was wondering how much interaction West Amwell has with Hopewell Township.

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

UNFINISHED BUSINESS

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

RESOLUTIONS

Resolution #41-2023: Authorizing CY2023 Reserve Budget Transfers

RESOLUTION #41-2023
RESOLUTION AUTHORIZING CY2023 RESERVE BUDGET TRANSFERS

Minutes: 3/15/23

WHEREAS, there are certain CY2023 Reserve Budget Appropriations of the Township of West Amwell with balances insufficient to meet requirements for operating Township Affairs; and

WHEREAS, there are CY2023 Reserve Budget Appropriations with unexpected balances that are not needed for such purposes; and

WHEREAS, Statutes 40A:4-59 provides for Transfers to those reserve accounts having insufficient balances during the first three months of the fiscal budget year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell that the following transfers are:

To			From		
General Administration	O/E	5,750.00	Streets & Roads	O/E	2,700.00
Zoning Board of Adjust	O/E	270.00	Streets & Roads	S/W	2,300.00
Code Enforcement	O/E	800.00	Police Dept	S/W	8,000.00
Prosecutor	O/E	50.00	Police Dept	O/E	1,400.00
Solid Waste Coll	O/E	3,600.00	Employee Medical	O/E	1,100.00
Electricity	O/E	1,235.00	Legal Services	O/E	1,700.00
Telephone	O/E	830.00	Clerk	O/E	2,500.00
Fuel Oil	O/E	3,800.00	Clerk	S/W	35.00
Gasoline	O/E	3,400.00			
Total		\$19,735.00			\$19,735.00

CERTIFICATION

I, Maria Andrews, Municipal Clerk of the Township of West Amwell, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Governing Body on this 15th day of March, 2023.

Maria Andrews, Township Clerk, RMC

A motion by Bergenfeld, seconded by Cally to approve Resolutions #41-2023 was unanimously approved by roll call vote.

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

SPECIAL PRESENTATIONS

Reports by Department Heads

John Cronce, Chairman of the Open Space Committee reported that he sent out letters to the hunting clubs requesting their deer harvest totals and also began inspecting the easements in the Music Mountain development.

Mr. Cronce then asked if the Township had received a Certificate of Insurance from Mr. Fulper and stressed the importance of having one on file because he farms municipal properties.

Lastly, Mr. Cronce showed pictures of the search and rescue dog trainers on the property when the hunters were hunting and expressed safety concerns. He remarked he would like to be made aware of when the training will be taking place so he can notify the hunters accordingly.

Committeewoman Hudson asked when the lottery for the hunting parcels will open. Mr. Cronce stated Fall of 2024.

OEM Director Harry Heller came forward and provided an update on JCP&L noting he reviewed 100 calls logged in over the past 2 years. He indicated they were mostly for poles down and wire fires. He stated the Fire Company put in 233.5 manhours and the average response time for JCP&L is 1.94 hours. Committeeman

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Cally asked Attorney Pandos to send a letter to JCP&L and the BPU regarding the poor response time and attention to emergencies during power outages.

Director Heller then mentioned that FEMA has indicated they need Engineered plans for the Stymiest Road repairs by Friday 3/17/23 or the Township will lose the \$58,000 in funding. Committeeman Cally stated he will reach out to Lambertville's Mayor Nowick to try and facilitate the Engineering plans from both municipalities.

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

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

NEW BUSINESS

It was noted for the record that there were no New Business items listed on the agenda for action.

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.

OPEN TO THE PUBLIC

Mayor Hoyer opened the floor to public comment. It was noted for the record that no members of the public made any comments at this time. Mayor Hoyer closed the floor to public comment.

ADMINISTRATIVE

Committeewoman Hudson inquired about a reimbursement shown on the 3/7/23 bill list.

A motion by Bergenfeld, seconded by Cally to approve the 3/7/23 and 3/14/23 bill lists was approved by roll call vote with Ms. Hudson opposing.

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

OTHER

Resolution #40-2023: Closed Session – Possible Litigation/Matters Falling Under Attorney Client Privilege

Resolution #40-2023

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 discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows: Possible Litigation – Eminent Domain and Prescriptive Easement for DPW 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

Minutes: 3/15/23

A motion by Bergenfeld, seconded by Cally to approve Resolution #40-2023 and enter into Closed Session was unanimously approved by voice vote.

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

The Committee was in Closed Session from 8:30 PM – 9:30 PM.

Upon returning to Open Session, the following actions were taken:

A motion was made by Dale and seconded by Cally authorizing Attorney Pandos to proceed as directed in Closed Session. The motion was unanimously approved by voice vote.

A motion was made by Cally and seconded by Dale authorizing Attorney Pandos to draft a resolution approving a settlement agreement. The motion was unanimously approved by voice vote.

CORRESPONDENCE

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

ADJOURNMENT

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

The meeting adjourned at 9:31 PM.

Maria Andrews, Township Clerk, RMC

Approved: 4/5/23