

# **WEST AMWELL TOWNSHIP COMMITTEE MEETING**

## **May 19, 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, Gary Hoyer and Lucas Lyons along with Township Clerk Maria Andrews and Township Attorney Katrina Campbell.

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 there were no changes to the posted agenda.

#### **ANNOUNCEMENTS**

The following announcements were made:

- Kindly Turn Cell Phones Off During the Meeting
- The Municipal Offices will be CLOSED 5/31/21: Memorial Day
- Primary Elections are June 8, 2021 Polls are Open from 6 AM – 8 PM
- Only 1 Monthly Twp. Comm. Meeting in June (16<sup>th</sup>), July (21<sup>st</sup>) and Aug. (18<sup>th</sup>)
- SHRHS In-Person Graduation is 10 AM on June 17, 2021

#### **PRESENTATION OF MINUTES**

A motion by Hoyer, seconded by Dale to approve the Committee's 5/5/21 open and 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. Michael Ehrenreich of 1874 River Road came forward and explained he is currently operating Big Bear Gear business on the property and working on a barn renovation at 1872 River Road. He noted that while he owns both properties, which are adjoining, he is not utilizing the barn property to operate his business. Big Bear Gear rents kayaks, bicycles and canoes for people to use on the Delaware River. He also is expanding to include river tubing and conducts some events and "how to" classes on the site. Mr. Ehrenreich was attending the meeting this evening to get permission from the Committee to host music festivals in July and August.

It was noted for the record that Township Zoning Officer Latini had originally approved a zoning permit to allow the kayak and canoe rentals but that inspections and approvals through the Construction and Zoning Offices had ceased with Zoning Officer Latini recently directing Mr. Ehrenreich to seek site plan approval for his expanding business and projects.

Mayor Bergenfeld commented that he agreed with Zoning Officer Latini that a site plan was needed so the Committee knew where on the property the events were taking place and to ensure there was adequate parking, lighting and bathroom/port-a-potty facilities. Mayor Bergenfeld remarked he did not feel comfortable approving any permits for music festivals at this time. Deputy Mayor Cally supported Mayor Bergenfeld's sentiments.

There was some additional discussion with Mr. Ehrenreich clarifying that the music events will be small gatherings of 50 people for some local musicians. He indicated he was not serving any food, but stated he planned to have a campfire for people to make smores. He noted tickets will be sold for each event and will be \$5.

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Committeemen Hoyer, Dale and Lyons each remarked that they took no issue with authorizing the July 3, 2021 and July 10, 2021 music festival permits noting future permit requests would only be considered if there were no complaints or reported issues to the police regarding the events on the 3<sup>rd</sup> or 10<sup>th</sup> and noting that Mr. Ehrenreich will need to submit a site plan application as soon as possible or provide a status update on why an application hasn't been submitted in a timely fashion.

John Siliverdes of the Amwell Diner came forward and referred to the Route 31 Redevelopment study recently discussed at the Planning Board. He commented it is conflicting with references to rehabilitation vs. redevelopment and he stated his parents have worked/owned/operated the diner for 32 years and recently put a new roof on the building, and upgraded the plumbing and HVAC. He expressed concern that the study makes no mention of the upgrades. Mr. Siliverdes also noted the County inspected their septic system last week and found no issues. He commented that he is offended by the redevelopment report.

Attorney Campbell clarified that the Township wanted to explore this section of Route 31 for potential viable business options and she explained that if the Diner is part of the study it is not necessarily a bad thing, noting it may even increase the value of the property because it allows for other development options or uses.

John Hoff of 1721 Linvale-Harbourton Road came forward and commented that he found the Route 31 Redevelopment Study to be "woefully inadequate," noting it does not contain an appendix and he expressed concern that the Township is making decisions on a report that is not adequate or thorough.

Hearing no other members of the public speak up, Mayor Bergenfeld closed the floor to public comment.

#### **SPECIAL PRESENTATIONS**

##### **SHRHS Referendum Plan by Superintendent A. Suozzo**

High School Superintendent Anthony Suozzo gave a 45 minute Power Point presentation on the proposed \$27.5 million referendum. If approved, the outcome would be renovations to Lambertville Public School creating a district Pre-K through 4<sup>th</sup> Grade school and a newly constructed 5<sup>th</sup> – 8<sup>th</sup> grade "green" school.

Superintendent Suozzo highlighted the curriculum expansion would include upgrades to: Computer science, podcast electives, pre-engineering classes, academic transitioning for special needs students, a redesigned library and media center and a TV, film and video production elective.

It was noted that any renovations to the High School would be done out of the school budget and would not be part of the referendum.

Lastly, Superintendent Suozzo noted educational equality, expanded mental health support, additional extra-curriculars and meeting the projected enrollment needs are all benefits of the referendum passing. The fiscal benefits were noted as reduced operational and transportation costs as well as decreased salary expenses as teachers retire and would not all need to be replaced.

The Committee thanked Superintendent Suozzo for a terrific presentation. Mayor Bergenfeld opened the floor to any questions or comments from the public.

Marilee Adams of 161 Rocktown-Lambertville Road came forward and expressed potential noise and traffic concerns as well as concerns over water pressure. Superintendent Suozzo noted Tom Stover will be doing all of the well testing and is currently working with a geologist. He also clarified that construction would be estimated to start in September of 2022 with a projected 2 year completion sometime in January 2024.

Mayor Bergenfeld inquired how the increased costs for construction materials will be accounted for. Superintendent Suozzo noted that if BIDS came in higher than the estimated cost they would have to go out to vote/referendum again.

Dave Beaumont of 205 Rock Road West noted that this referendum is the last step toward the goals outlined in the regionalization years ago.

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**Reports by Department Heads**

DPW Director Rollero thanked the Committee for the Proclamation on this evening's agenda and updated the Committee on the following projects:

1. Rocktown-Lambertville Road Phase IV will be going out to BID and will need to be awarded at the 6/16/21 Committee meeting
2. Paved 1700 linear feet of Bowne Station Road, an "in-house" paving job
3. 50,000 sq. yards of chip seal will be done on Alexauken Creek Road, Bowne Station Road, Cedar Crest and Woodward Lane/Jefferson Road

**Chapter 88 Amendments – Fire Safety Official: P. Langon**

It was noted for the record that Mr. Langon could not make tonight's meeting and the discussion will be listed on the Committee's 6/16/21 agenda.

**Presentation of Emergency Operating Plan – H. Heller**

OEM Director Harry Heller presented the Emergency Operations Plan and explained the municipality is required to have it and stated the Committee needs to sign off on it this evening. Director Heller also wanted the record to reflect his appreciation for all of the work Amanda Burd did on the plan. Lastly, Director Heller informed the Committee that he attended a recent FEMA webinar where it was apparent they are changing the requirements regarding the release of the COVID funding.

**Proclamations**

Mayor Bergenfeld recognized the following proclamations:

**National Police Week  
May 9 – 15, 2021  
&  
Peace Officers Memorial Day: May 15, 2021**

WHEREAS, since the beginning of law enforcement within our communities, Officers have made the ultimate sacrifice while in the line of duty; and

WHEREAS, these Officers risk their lives every day to protect our communities and their bravery and selfless services shall not be overlooked by a grateful nation; and

WHEREAS, across the United States, the week of May 9<sup>th</sup> through the 15<sup>th</sup> 2021 will be recognized as "National Police Week;" and

WHEREAS, the first "National Peace Officers' Memorial Day" was held on May 15, 1982, following a proclamation signed by President John F. Kennedy on October 1, 1961 and has continued to be observed annually in memory of those police officers who made the ultimate sacrifice in the line of duty; and

WHEREAS, the Senate honor the memory of the Officers who have given their lives in our local communities; and

WHEREAS, the Senate recognizes the week of May 9<sup>th</sup> through May 15<sup>th</sup>, 2021 as "National Police Week," and May 15, 2021 as "Peace Officers Memorial Day" in New Jersey; and

NOW THEREFORE BE IT RESOLVED that the West Amwell Township Committee does hereby acknowledge the week of May 9<sup>th</sup> through May 15<sup>th</sup>, 2021 as "National Police Week" and May 15, 2021 as "Peace Officers Memorial Day."

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Township of West Amwell to be affixed this 19<sup>th</sup> day of May 2021.

ATTEST: May 19, 2021

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Maria Andrews, Township Clerk, RMC

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Stephen Bergenfeld, Mayor

## **National Public Works Week May 16 – 22, 2021**

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of West Amwell Township; and

WHEREAS, these infrastructures, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation's transportation, water supply, water treatment, and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, it is in the public interest for citizens, civic leaders and children in West Amwell Township to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, the year 2021 marks the 61<sup>st</sup> Annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association; and

NOW, THEREFORE BE IT RESOLVED, that the West Amwell Township Committee hereby designates the week of May 16 – 22, 2021 as National Public Works Week; and urges all citizens to join with representatives of the American Public Works Association/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Township of West Amwell to be affixed this 19<sup>th</sup> day of May 2021.

ATTEST: May 19, 2021

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Maria Andrews, Township Clerk, RMC

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Stephen Bergenfeld, Mayor

## **National Emergency Medical Services Week May 16 – 22, 2021**

WHEREAS, in 1974, President Gerald Ford authorized EMS Week to celebrate EMS practitioners and the important work they do in our nation's communities; and

WHEREAS, EMS week brings together local communities and medical personnel; to honor the dedication of those who provide the day-to-day lifesaving services of medicine's "front line" 24 hours a day, seven days a week; and

WHEREAS, Emergency medical Services is a vital public service; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, EMS has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the EMS system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public and other out of hospital medical care providers; and

WHEREAS, the members of the EMS teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

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WHEREAS, it is appropriate to recognize the value and the accomplishments of EMS providers by designating National Emergency Medical Services Week; and

NOW THEREFORE BE IT RESOLVED that the West Amwell Township Committee does hereby acknowledge the week of May 16<sup>th</sup> through May 22<sup>nd</sup>, 2021 as “National Emergency Medical Services Week.”

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Township of West Amwell to be affixed this 19<sup>th</sup> day of May 2021.

ATTEST: May 19, 2021

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Maria Andrews, Township Clerk, RMC

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Stephen Bergenfeld, Mayor

#### **INTRODUCTION/PUBLIC HEARING ON ORDINANCES**

Mayor Bergenfeld recused himself from the meeting at this time. Deputy Mayor Cally explained Ordinance 06, 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,” and to Create Chapter 140, “Taxation,” Article I “Cannabis Transfer Tax” is being pulled from tonight’s agenda because it is not ready for introduction at this time.

It was noted for the record that Mayor Bergenfeld returned to the meeting at this time.

#### **STANDING COMMITTEE REPORTS**

A. Open Space: John Cronce came forward as Chairman of the Open Space Committee and indicated the Committee is currently in the process of reviewing easements based on Attorney Campbell’s recent legal opinion regarding the language in the documents as it relates to public access.

B. Environmental: No report given.

C. Ag Advisory: No report given.

D. Finance Committee: No report given.

#### **UNFINISHED BUSINESS**

A. Update: PennEast Status – It was noted for the record that no update was provided.

#### **NEW BUSINESS/OTHER**

##### **Resolution #52-2021: Supporting Click it or Ticket Week May 24 – June 6, 2021**

Supporting the *Click It or Ticket* Mobilization of May 24 – June 6, 2021  
Resolution #52-2021

**Whereas**, there were 585 motor vehicle fatalities in New Jersey in 2020; and

**Whereas**, approximately 40% of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

**Whereas**, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**Whereas**, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

**Whereas**, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 24 – June 6, 2021 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

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**Whereas**, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 90.23% to 93%; and

**Whereas**, a further increase in seat belt usage in New Jersey will save lives on our roadways;

**Therefore**, be it resolved that West Amwell Township declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 24 – June 6, 2021 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Certification

*I, Maria Andrews, Township Clerk of the Township of West Amwell, County of Hunterdon, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Township Committee on May 19, 2021.*

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Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Dale to approve Resolution #52-2021 was unanimously approved by roll call vote.

*Cally: Yes, Dale: Yes, Hoyer: Yes, Lyons: Yes, Bergenfeld: Yes*

**Resolution #53-2021: Audit Affidavit for 2020 Audit**

RESOLUTION 53-2021  
CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT  
GROUP AFFIDAVIT FORM  
NO PHOTO COPIES OF SIGNATURES

STATE OF NEW JERSEY  
COUNTY OF HUNTERDON COUNTY

We, members of the governing body of the Township of West Amwell, in the County of Hunterdon, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the West Amwell Township Committee of the Township of West Amwell in the county of Hunterdon;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year *(insert year)*;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."
- 4.

(L.S.)	(L.S.) Stephen Bergenfeld, Mayor
(L.S.)	(L.S.) James Cally, Deputy Mayor
(L.S.)	(L.S.) John Dale
(L.S.)	(L.S.) Gary Hoyer
(L.S.)	(L.S.) Lucas Lyons

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Maria Andrews, Township Clerk, RMC

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The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT  
FORM OF RESOLUTION

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit: R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the West Amwell Township Committee of the Township of West Amwell, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON May 19, 2021.

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

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**Discussion: Tax Payment Drop Box and Related Location Installation**

It was noted for the record that the Committee authorized the purchase of a post mounted secure tax box to be installed in the parking lot island for easy drop off access by residents who wish to drive in and drop their tax payment.

**Discussion: Letter dated 5/11/21 from Commissioner Soloway, re: Municipal Energy Cooperative**

Attorney Campbell noted she needed to review the paperwork because she believed the existing solar panels on the Township property may make the municipality ineligible for this program.

**Discussion: Posting Protocol for the Township Website**

Attorney Campbell commented on Daniel's Law which will soon prohibit the posting/release of Judge's names, law enforcement officers and others. She noted that the Tax Assessor uses his personal website to scan and post township documents like farmland forms and she commented that the Township must have a posting protocol to avoid potential issues. The Committee authorized Attorney Campbell to speak with the Tax Assessor about this matter.

**OPEN TO THE PUBLIC**

Mayor Bergenfeld opened the floor to public comment. Dave Beaumont of 205 Rock Road West came forward and remarked that after last night's Planning Board meeting on the proposed Dollar General application, there needs to be some community outreach. He also asked about the proposed school referendum. Mayor Bergenfeld stated the Committee will not publically take a position on the referendum due to the issue with the school board voting members. Lastly, Mr. Beaumont inquired about the trails and public right-of-ways within the Township and asked under who's purview they fall. Mayor Bergenfeld remarked that the Township Committee has no interest in creating or maintaining any trails.

Hearing no other members of the public speak up, Mayor Bergenfeld closed the floor to public comment.

**ADMINISTRATIVE**

A motion by Cally, seconded by Bergenfeld to pay the vouchers listed on the 5/19/21 bill list was unanimously approved by roll call vote.

*Cally: Yes, Dale: Yes, Hoyer: Yes, Lyons: Yes, Bergenfeld: Yes*

**OTHER**

**Resolution #54-2021: Closed Session – Personnel/Contracts – Litigation/Affordable Housing**

**Resolution #54-2021**

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,

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.

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Maria Andrews, Township Clerk, RMC



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A motion by Cally, seconded by Hoyer to approve Resolution #54-2021 and enter into Closed Session was unanimously approved by voice vote.

A motion by Cally, seconded by Dale 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 10:25 PM – 11:30 PM.

Upon returning to open session Mayor Bergenfeld left the meeting at this time.

A motion was made by Cally, seconded by Dale to approve Resolution #56-2021 authorizing the Planning Board to work on the Redevelopment Plan.

Resolution # #56-2021

TOWNSHIP OF WEST AMWELL  
HUNTERDON COUNTY

A RESOLUTION DETERMINING THAT THE PROPERTIES IDENTIFIED AS BLOCK 21, LOTS 13, 14, 14.01, 15, 16, 17, 18 AND 19 AND BLOCK 23, LOTS 1, 3, 4, 5, 6, 9, 10, 10.01, 10.02, 11, 12 AND 13 BE DESIGNATED AS A NON-CONDEMNATION REDEVELOPMENT AREA IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

WHEREAS, pursuant to Resolution No. 97- 2020 adopted on December 2, 2020 (as amended by Resolution No. 39-2021 adopted on April 7, 2021), the Township Committee ("Committee") of the Township of West Amwell (the "Township") authorized and directed the Planning Board of the Township of West Amwell (the "Board") to conduct an investigation to determine whether certain properties, identified as Block 21, Lots 12, 12.02, 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lots 1, 3, 4, 4.01, 5, 6, 9, 10, 10.01, 10.02, 11, 12, 13, 28 and 32, or any portions thereof (the "Study Area"), meet the criteria set forth in the Redevelopment Law and should be designated as a Non-Condemnation Redevelopment Area, as that term is defined by the Redevelopment Law; and

WHEREAS, the Board conducted an investigation of the Study Area to determine whether it should be designated as a Non-Condemnation Redevelopment Area in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and 40A:12A-6; and

WHEREAS, as part of its investigation, the Board directed Charles Latini, P.P., AICP, to prepare an Area In Need of Redevelopment Investigation Study ("Area in Need Study") for the Board for its consideration in determining whether the Study Area should be designated a Non-Condemnation Redevelopment Area entitled "REDEVELOPMENT AREA DETERMINATION REPORT – Route 31 and 579 Redevelopment Area;" and

WHEREAS, Mr. Latini recommended that Block 21, Lots 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lot 1, 3, 4, 5, 6 and 9 be included in the Redevelopment Map area included in the Redevelopment Plan and that Block 23, Lots 10, 10.01, 10.02, 11, 12 and 13 be included in the Rehabilitation Map area included in the Redevelopment Plan; and

WHEREAS, the Area in Need Study included a map prepared by Mr. Latini showing the boundaries of the proposed redevelopment area and locations of the parcels included therein, along with a statement setting forth the basis for its investigation in accordance with N.J.S.A. 40A:12A-6(b)(1); and

WHEREAS, the Board conducted a public hearing on May 11, 2021, with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

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WHEREAS, at the public hearing, the Board reviewed the Area in Need Study and heard testimony from Mr. Latini and others; and

WHEREAS, at the public hearing, members of the general public were given an opportunity to be heard and to address questions to the Board and Mr. Latini concerning the potential designation of the Study Area as a Non-Condensation Redevelopment Area; and

WHEREAS, after completing its investigation and public hearing on this matter, the Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law, particularly at N.J.S.A. 40A:12A-5 et seq., for designating the Study Area as a Non-Condensation Redevelopment Area and that said designation is necessary for the effective redevelopment of the area comprising the Study Area; and

WHEREAS, the Board further concluded that there was sufficient credible evidence to support findings that any designation of the Study Area as a Non-Condensation Study Area shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the Study Area; and

WHEREAS, in accordance with the Redevelopment Law and as approved by Motion, dated May 11, 2021, the Board recommended to the Township Committee that Block 21, Lots 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lot 1, 3, 4, 5, 6, 9, 10, 10.01, 10.02, 11, 12 and 13 be designated as a Non-Condensation Redevelopment Area; and

WHEREAS, the Board recommended that Block 21, Lots 12 and 12.01 and Block 23, Lots 28 and 32 be excluded from such designation as they did not meet the requirements of the Redevelopment Law; and

WHEREAS, the Township Committee considered the Board's recommendation at its regularly scheduled public meeting on May 19, 2021; and

WHEREAS, at the Township Committee's public meeting, members of the general public were given an opportunity to be heard and to address questions concerning the potential designation of the Study Area as a Non-Condensation Redevelopment Area; and

WHEREAS, Township Committee accepted the recommendation of the Board to declare a portion of the Study Area (Block 21, Lots 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lot 1, 3, 4, 5, 6, 9, 10, 10.01, 10.02, 11, 12 and 13) as a Non-Condensation Redevelopment Area; and

WHEREAS, in order to effectuate the Township Committee's designation of the Study Area as an Area in Need of Redevelopment, the preparation of a Redevelopment Plan and presentation to the Planning Board and Township Committee is required; and

WHEREAS, the Township Committee desires to authorize Mr. Latini to draft a Redevelopment Plan in consultation with the Board and to authorize the Board to review the Redevelopment Plan and transmit the proposed Plan to the Township Committee for its consideration upon completion of the Planning Board's review.

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

That the Township Committee accepts the recommendation from the Planning Board of the Township of West Amwell and finds that Block 21, Lots 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lot 1, 3, 4, 5, 6, 9, 10, 10.01, 10.02, 11, 12, 13 as shown on the official tax map of the Township of West Amwell be and are hereby deemed to be a Non-Condensation Redevelopment Area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

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That the designation of Block 21, Lots 12 and 12.01 and Block 23, Lots 28 and 32 as a Non-Condemnation Redevelopment Area shall not authorize the Township to exercise the power of eminent domain to acquire any property in the Study Area; and

That the Township hereby reserves all other authority and powers granted to it under the Redevelopment Law; and

That the Clerk of the Township of West Amwell shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review; and

That within ten (10) days of the Township Committee's adoption of the within Resolution, the Clerk of the Township of West Amwell shall serve notice of the Township Committee's determination and the within Resolution upon all record owners of property within the Non-Condemnation Redevelopment Area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commission of the New Jersey Department of Community Affairs; and

That Charles Latini, P.P., A.I.C.P., having been previously retained by the Township, is authorized and directed to prepare a Redevelopment Plan for Block 21, Lots 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lot 1, 3, 4, 5, 6, 9, 10, 10.01, 10.02, 11, 12, 13, including an outline for the planning, development and redevelopment of the Study Area pursuant to N.J.S.A. 40A:12A-7 and present same to the Planning Board and Township Committee at the hourly rate stated in his proposal; and

That the Planning Board shall transmit a report containing its recommendation concerning the Redevelopment Plan to the Township Committee. The Planning Board's report shall include an identification of any provisions in the proposed Redevelopment Plan which are inconsistent with the Master Plan and recommendations concerning these inconsistencies and any other matters as the Planning Board deems appropriate; and

That this Resolution shall take effect immediately.

I hereby certify the foregoing to be a true copy of a Resolution approved by the West Amwell Township Committee at their regular meeting on May 19, 2021.

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Maria Andrews, Township Clerk, RMC

Resolution #56-2021 was approved by roll call vote.

*Cally: Yes, Dale: Yes, Hoyer: Yes, Lyons: Yes*

Additionally, the Township Committee authorized Special Planner Latini to work on the Route 31 Redevelopment Plan.

Lastly, the Township Committee requested the Planning Board conduct a Master Plan Re-examination and to review issues of primary concern.

Mayor Bergenfeld returned to the meeting at this time.

Committeeman Lyons asked if John Thompson could be appointed to the Historic Preservation Committee. He commented that as the liaison to that Committee the Chairwoman has asked several times for Mr. Thompson to be considered as an Alternate Member. Mayor Bergenfeld agreed to appoint Mr. Thompson to a 1 year term as Alternate #1 on the Historic Preservation Committee.

#### **CORRESPONDENCE**

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

Minutes: 5/19/21

**ADJOURNMENT**

Mayor Bergenfeld adjourned the meeting at 11:36 PM.

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Maria Andrews, Township Clerk, RMC

Approved: 6/16/21