

WEST AMWELL TOWNSHIP COMMITTEE MEETING

June 16, 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 Resolution #64-2021: Authorizing the sale of Certain Land and Property, was added under New Business.

ANNOUNCEMENTS

The following announcements were made:

- Kindly Turn Cell Phones Off During the Meeting
- The Municipal Offices will be CLOSED Monday 7/5/21: Fourth of July Holiday
- Summer Hours in Effect 7/1/21: Offices open 8 AM – 5 PM Mon. – Thurs. CLOSED FRIDAYS IN JULY AND AUGUST
- Only 1 Monthly Twp. Comm. Meeting in July (21st) and Aug. (18th)
- SHRHS In-Person Graduation is 10 AM on June 17, 2021
- Special “Thank You” to the Technology Committee: Dave Beaumont, Harry Heller, Cathy Urbanski, Rob & Heidi Tomenchok and Bob & Natasha Birmingham for all of their efforts in getting the new website up and running!
- Clean Community 2020 Grant Received in the Amount of \$12,530.20

PRESENTATION OF MINUTES

A motion by Dale, seconded by Hoyer to approve the Committee’s 5/19/21 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. Seeing no members of the public who wished to speak, Mayor Bergenfeld closed the floor to public comment.

SPECIAL PRESENTATIONS

Reports by Department Heads

Update from DPW Director R. Rollero

DPW Director Rollero updated the Committee on the following items:

1. Rocktown-Lambertville Road Improvement Project Phase IV will be awarded to DeSantis Construction
2. Resolution #57-2021 on this evening’s agenda will cover asphaltic surface treatment in the amount of \$104,074.53 for Alexauken Creek Road, Bowne Station Road, Woodward Lane/Jefferson Road and Cedar Crest Road
3. The residential mulch delivery program is a success with 9 deliveries in 2021 totaling \$1875 which is an increase over last year’s revenue
4. The bulk/oversized item punch card program will be rolled out July 1st with the new season’s trash card permits. Each new trash card will come with 2 free bulk item punches to familiarize residents with the program. An additional bulk card can be purchased for \$40 which will allow for 5 extra bulk items/punches.

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5. There was some discussion on the Hewitt Park rental fee with the Committee deciding to increase the amount to a \$100 non-refundable fee for anyone who rents the park.
6. The Township received a NJ Clean Communities Grant in the amount of \$12,530.20 with Director Rollero noting he would like to utilize the funds for the 4th Annual Delaware River Clean-up on 9/18/21 and also for the removal of graffiti from the Goat Hill Overlook George Washington Rock on 9/25/21. It was noted for the record that the Committee supported these efforts.

Chapter 88 Amendments – Fire Safety Official: P. Langon

The Committee asked Mr. Langon for his interpretation of Chapter 88-8: Required Inspections, permits and fees. After some discussion it was agreed that the language for letter (A) should be changed to read, “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.

Mr. Langon confirmed that every business in the Township is inspected annually. Deputy Mayor Cally commented that he would like to see a complete list of businesses with a regimented annual scheduling of inspections.

Mr. Langon remarked that he would like to change the language in the ordinance from “inspection fee” to “annual registration fee” so he can send bills out. He explained if the bill is paid he will conduct the inspection, if it isn’t paid within 30 days the fee would double. Attorney Campbell clarified that the way the ordinance is currently written, the billing goes out after the inspection is done. The Committee agreed to leave the ordinance as written.

STANDING COMMITTEE REPORTS

A. Open Space: John Cronic came forward as Chairman of the Open Space Committee and asked Attorney Campbell what the status of the deed language is on preserved land. She indicated she is still reviewing some of the deeds.

B. Environmental: No report given.

C. Ag Advisory: No report given.

D. Finance Committee: No report given.

Chief Ent commented on the accuracy of the Committee’s 3/3/21 minutes regarding the representation of the ownership and insurance coverage on the Fire Department equipment. Clerk Andrews asked Chief Ent to provide her with a copy of his suggested revisions.

UNFINISHED BUSINESS

A. Update: PennEast Status – Dave Beaumont noted there is supposed to be another court ruling by the end of June.

NEW BUSINESS/OTHER

Resolution #57-2021: Authorizing the Purchase of Asphaltic Surface Treatment

Resolution #57-2021

RESOLUTION AUTHORIZING THE PURCHASE OF ASPHALTIC SURFACE TREATMENTS BY THE PUBLIC WORKS DEPARTMENT FOR VARIOUS ROADS IN THE TOWNSHIP OF WEST AMWELL FROM, ASPHALT PAVING SYSTEMS, INC. THROUGH STATE CONTRACT T-0896 (*expiring 08/31/2022*)

WHEREAS, the Township of West Amwell wishes to purchase Asphaltic Surface Treatments from Asphalt Paving Systems, Inc. in the total amount of \$104,074.53; and

WHEREAS, said application was approved for purchase through Ordinance 1, 2021 Budget adopted by the Township Committee of the Township of West Amwell on April 21, 2021; and

WHEREAS, the Chief Financial Officer has certified that funds are available for said purpose in the Roads Maintenance and Roads 2021 Chip Seal line for the Public Works Department; and

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NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of West Amwell hereby authorizes the purchase of the above mentioned Asphaltic Surface Treatments, from Asphalt Paving Systems, Inc., P.O. Box 530, Hammonton, NJ 08037 thru State Contract T-0896 in the amount of \$104,074.53; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Chief Financial Officer and the Qualified Purchasing Agent.

Certification

I, Maria Andrews, Municipal Clerk of the Township of West Amwell, hereby certify that the above is a true copy of a Resolution adopted by the West Amwell Township Committee at their regularly scheduled meeting held on the 16th June, 2021.

Maria Andrews, Township Clerk, RMC

A motion by Hoyer, seconded by Dale to approve Resolution #57-2021 was unanimously approved by roll call vote.

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

Resolution #58-2021: Appointing a Risk Management Consultant (Statewide Insurance)

The resolution is attached.

A motion by Hoyer, seconded by Cally to approve Resolution #58-2021 was unanimously approved by roll call vote.

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

Resolution #59-2021: Appointing Fund Commissioner (Statewide Insurance)

The resolution is attached.

A motion by Hoyer, seconded by Dale to approve Resolution #59-2021 was unanimously approved by roll call vote.

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

Resolution #60-2021: ABC License Renewal – Shyamshvet, Inc./Pine Creek

RESOLUTION #60-2021

WHEREAS, an application for renewal of a Plenary Retail Consumption License was duly filed with the Division of Alcoholic Beverage Control in accordance with their 2021 rules and regulations; and

WHEREAS, the required fee of \$2500.00 has been received by the Township Clerk

BE IT RESOLVED by the Township Committee of the Township of West Amwell pursuant to an act entitled "An Act Concerning Alcoholic Beverages" passed December 6, 1933 and amendments thereof and supplements thereto is hereby authorized to issue a license for the sale of alcoholic beverages in the Township of West Amwell, subject to the conditions prescribed in an Ordinance of the Township of West Amwell dated March 1, 1963, amended February 21, 1969, October 5, 1978, April 2, 1981, February 3, 1983, August 18, 1999, April 18, 2001, April 3, 2002, October 19, 2005, July 19, 2006, March 7, 2007, and further amended on December 27, 2012.

BE IT FURTHER RESOLVED that, subject to the aforesaid conditions, the following Plenary Retail Consumption License be granted, the fee being \$2500.00 per year, effective date being July 1, 2021, Shyamshvet, Inc. - Pine Creek Liquors, 394 Route 31, West Amwell Township, NJ license #1026-33-001-008. Governing Body of the said Township be and is hereby authorized to sign said license

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I, Maria Andrews, Township Clerk of West Amwell Township, do hereby certify the above to be a true copy of a Resolution adopted by the West Amwell Township Committee at a meeting of the Committee held June 16, 2021.

Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Dale to approve Resolution #60-2021 was unanimously approved by roll call vote.

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

Resolution #61-2021: Appointment of C. Flemming as Police Department Detective

ASSIGNMENT OF POLICE DETECTIVE
RESOLUTION #61-2021

WHEREAS, a decision was made by the West Amwell Township Committee, upon recommendation from Lieutenant Skillman, to authorize the position of Detective in the police department; and

WHEREAS, it is the considered opinion of the governing body that this position be filled; and

WHEREAS, this assigned position is not be construed as a promotion; and

WHEREAS, per the Police Contract the assignment includes an annual stipend of \$1000.00; and

NOW, THEREFORE BE IT RESOLVED, by the West Amwell Township Committee, that the following Patrolman 6th Class: Cornelius Flemming be appointed to the position of Detective; and

BE IT FURTHER RESOLVED, that the officer will serve a probationary period of one year with quarterly performance evaluations in this position

BE IT FURTHER RESOLVED, that this appointment be effective July 1, 2021.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at a regular meeting held June 16, 2021.

Maria Andrews, Township Clerk, RMC

A motion by Hoyer, seconded by Cally to approve Resolution #61-2021 was unanimously approved by roll call vote.

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

Resolution #62-2021: Award Rocktown-Lambertville Rd. Phase IV to DeSantis Construction

WEST AMWELL TOWNSHIP
RESOLUTION #62-2021

WHEREAS, the West Amwell Township did advertise for the Rocktown-Lambertville Road Improvements Project-Section IV; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., and upon recommendation of William H. Burr, IV, P.E., Township Engineer, DeSantis Construction, Inc. has been determined to be the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the West Amwell Township, County of Hunterdon, State of New Jersey that a contract is hereby awarded to DeSantis Construction, Inc. in the amount of \$178,264.32 for the Rocktown-Lambertville Road Improvements Project-Section IV to be completed on or before August 30, 2021 and that the Mayor and the Clerk of the West Amwell Township hereby authorized, respectively, to execute and attest to an agreement with DeSantis Construction, Inc., P.O. Box 6030, Somerset, NJ 08875 pursuant to bid specifications, and in a form approved by the Township Attorney.

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BE IT FURTHER RESOLVED, that the Township Clerk publish a notice of this action in the official newspaper of the Township within 10 days from the adoption of this Resolution; and

BE IT FURTHER RESOLVED that the account to be charged is C-04-55-900-2-9760 for the amount of \$178,264.32 and that the Chief Financial Officer has issued a Certificate of Available Funds (COAF) which is incorporated into this resolution.

WEST AMWELL TOWNSHIP

Stephen Bergenfeld, Mayor

Adopted: June 16, 2021

I hereby certify that this is a true and correct copy.

Maria Andrews, Township Clerk, RMC

CERTIFICATION BY CFO

I, Thomas J. Carro, CFO of West Amwell Township, hereby certify that funds to cover this award are available in the General Capital Fund.

Thomas J. Carro, CFO

A motion by Dale, seconded by Lucas to approve Resolution #62-2021 was unanimously approved by roll call vote.

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

Resolution #64-2021: RESOLUTION AUTHORIZING THE SALE OF CERTAIN LAND AND PROPERTY NO LONGER NEEDED FOR PUBLIC USE BY THE TOWNSHIP OF WEST AMWELL PURSUANT TO N.J.S.A. 40A:12-13(B)

Resolution #64-2021

WHEREAS, the Township of West Amwell is the owner of certain vacant undersized lands within the Township; and

WHEREAS, the Township Committee of the Township of West Amwell does hereby determine that the lands and properties set forth in Schedule A are no longer needed for public use; and

WHEREAS, the Township desires to make available for sale in accordance with the Local Lands and Buildings Law; and

WHEREAS, N.J.S.A. 40A:12-13(b) requires the Township to provide the owner or owners of any real property contiguous to such real property the right to prior refusal to purchase such land.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Washington, in the County of Warren State of New Jersey, as follows:

The lands listed on the attached Schedule A shall be offered for private sale to the contiguous property owners pursuant to the statute.

A minimum bid for each property is listed on Schedule A.

All contiguous property owners shall receive a letter from the Township offering the property for sale at the minimum bid price. Contiguous property owners shall be instructed to submit a sealed offer to the Township no later than July 9, 2021 with their highest and best offer.

The Township shall consider all offers at its July 21, 2021 meeting and at that time select the highest bidder for each property. The Township reserves the right to reject all bids for a property or remove a property or properties from Schedule A at any time prior to the award of the contract.

The winning bidders shall be given one week to deposit 10% of their purchase price with the Township and execute a contract for sale.

It shall be a condition of the sale that the lots purchased be merged by the tax assessor into the purchasers existing contiguous lot.

Certification

I, Maria Andrews, Clerk of the Township of West Amwell, County of Hunterdon, do hereby certify that the foregoing is a true and exact copy of the resolution adopted by the Township of West Amwell Committee on June 16, 2021.

Maria Andrews, Township Clerk, RMC

SCHEDULE A

Block	Lot	Location	Minimum Bid
10	4	1226 Route 179	\$2,900
12	1	2 Lakeview	\$12,900
16	19	702-R Brunswick Pike	\$11,600
33	11	30 Wilson	\$800

*Any lot purchased must be merged with adjacent property.

A motion by Cally, seconded by Dale to approve Resolution #64-2021 was unanimously approved by roll call vote.

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

Authorization – Strategic Plan for Funding Municipal Alliances

It was noted for the record that the Committee authorized the Strategic Plan for Funding the Municipal Alliances.

Approval – Information from the Historic Committee to be Included in the Tax Bill Mailing

It was noted for the record that the Committee approved the information from Historic regarding the 175th Anniversary Celebration to be included as an insert in the tax bill mailing.

Discussion: Rescinding Previously Established Municipal COVID Protocols

The Committee agreed that the staff no longer needs to document daily health screenings now that Governor Murphy has lifted the health emergency and signage will be replaced to advise the public that if you are fully vaccinated, no mask is required and if you are unvaccinated, masks are recommended.

OPEN TO THE PUBLIC

Mayor Bergenfeld opened the floor to public comment. Dave Beaumont of 205 Rock Road West came forward and expressed appreciation for all of DPW Director Rollero’s knowledge. He also thanked the Planning Board for navigating the Dollar General application to what was ultimately a good outcome for the residents.

Additionally, he noted a key community outreach group is being established by the school superintendent regarding the referendum and he stated the census information won’t be available until September.

Lastly, Mr. Beaumont remarked his goal is to do a tax impact analysis based on the proposed school referendum so people have a better understanding of how it may affect them.

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Tax Collector Gail Brewi noted the drive-up drop box for tax payments has been delivered and is expected to be installed by the DPW next week. She also advised that a similar drop box has been ordered for construction and zoning paperwork.

Ms. Brewi commented she has received quite a few inquiries regarding electronic payment options. Mayor Bergenfeld indicated he is not in support of electronic payments because of the fees associated with them. Ms. Brewi commented she will look into this further.

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

ADMINISTRATIVE

A motion by Hoyer, seconded by Dale to pay the vouchers listed on the 6/16/21 bill list was unanimously approved by roll call vote.

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

OTHER

Resolution #63-2021: Closed Session – Personnel/Contracts – Litigation/Affordable Housing

Resolution #63-2021

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.

Maria Andrews, Township Clerk, RMC

A motion by Hoyer, seconded by Lyons to approve Resolution #63-2021 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 9:05 PM – 11:25 PM.

CORRESPONDENCE

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

ADJOURNMENT

Mayor Bergenfeld adjourned the meeting at 11:26 PM.

Maria Andrews, Township Clerk, RMC

Approved: 7/21/21