

WEST AMWELL TOWNSHIP COMMITTEE MEETING

June 7, 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, Deputy Mayor Stephen Bergenfeld, Committee Members 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 approval of the 6/6/23 bill list will be added under Administrative reports for the Treasurer.

ANNOUNCEMENTS

The following announcements were made:

- Summer Hours Start: Monday July 3rd (Mon. – Thurs. 8 AM – 5 PM: Closed Fridays)
- The Municipal Offices will be CLOSED: Tuesday, 7/4/23 – Fourth of July Holiday
- Kindly Turn Cell Phones Off During the Meeting

PRESENTATION OF MINUTES

A motion by Dale, seconded by Bergenfeld to approve the 5/17/23 regular and special 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. Seeing no members of the public come forward, he closed the floor to public comment.

UNFINISHED BUSINESS

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

RESOLUTIONS

Resolution #58-2023: Appointing Risk Management Consultant – Barclay Insurance

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

2023 Fund Year

Resolution #58-2023

WHEREAS, West Amwell Township, (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

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WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Hunterdon and State of New Jersey, as follows:

West Amwell Township (Local Unit) hereby appoints Thomas Narolewski its Risk Management Consultant.

The Mayor (*authorized representative of the public entity*) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year **2023** in the form attached hereto.

Name of Entity: Barclay Insurance

Attest:

Maria Andrews Twp. Clerk, RMC

Gary Hoyer, Mayor

Certification

I, Maria Andrews, Clerk of West Amwell Township, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on June 7, 2023.

Maria Andrews, Township Clerk, RMC

A motion by Dale, seconded Hudson to approve Resolution #58-2023 was unanimously approved by voice vote.

Resolution #59-2023 – Plenary Retail Consumption License Renewal: Ringoes Liquors

RESOLUTION #59-2023

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 2023 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, 2023, Ringoes Liquors, Inc. 394 Route 31, West Amwell Township, NJ license #1026-33-001-009. Governing Body of the said Township be and is hereby authorized to sign said license.

Certification

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 7, 2023.

Maria Andrews, Township Clerk, RMC

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A motion by Bergenfeld, seconded by Cally to approve Resolution #59-2023 was unanimously approved by roll call vote.

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

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

2023 Municipal Budget – Public Hearing and Adoption/Approval of Resolution #60-2023

Mayor Hoyer acknowledged Brian Gibbons from the Township’s auditing firm, Nisivoccia. He came forward and stated the Township’s budget is compliant with all of the budget, expenditure and tax levy caps. He also noted that \$200,000 of the fund balance is being utilized to support operating costs and he noted the tax rate is going up .009 cents which means an average home valued at \$480,000 will see an annual tax increase of about \$45.00. Mayor Hoyer added that West Amwell has the lowest general tax rate of any municipality in Hunterdon County.

A motion was made by Cally and seconded by Steve to adopt the 2023 budget and approve Resolution #60-2023. The motion was unanimously approved by roll call vote.

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

**Resolution #60-2023 is part of the budget pages and will be a separate attachment to these minutes.*

Introduction: Ordinance 04, 2023 – BOND ORDINANCE PROVIDING FOR VARIOUS 2023 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY (THE “TOWNSHIP”); APPROPRIATING \$270,000 THEREFORE (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND AUTHORIZING THE ISSUANCE OF \$79,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF

Mayor Hoyer read Ordinance 04, 2023 by title.

TOWNSHIP OF WEST AMWELL

ORDINANCE 04, 2023

BOND ORDINANCE PROVIDING FOR VARIOUS 2023 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY (THE “TOWNSHIP”); APPROPRIATING \$270,000 THEREFOR (INCLUDING A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) AND AUTHORIZING THE ISSUANCE OF \$79,250 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of West Amwell, in the County of Hunterdon, State of New Jersey (the “Township”). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$270,000, which is inclusive of a grant in the amount of \$187,416 from the New Jersey Department of Transportation (the “Grant”), and \$3,334 as the aggregate amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes. Pursuant to N.J.S.A. 40A:2-11(c), as amended and supplemented, no down payment is required for the bonds or notes associated with the roadway improvements set forth in Section 3(a)(i) as a portion of such project is being funded by the Grant.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$270,000 appropriation not provided for by application hereunder of said down payment and the Grant, negotiable bonds of the Township are hereby authorized to be issued in the aggregate principal amount not exceeding \$79,250 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in an aggregate principal amount not exceeding \$79,250 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued include, but are not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) <u>Roads</u> – Roadway Improvements In The Township Including, But Not Limited To, Rocktown-Lambertville Road (Phase IV), Such Improvements To Include, But Not Limited To, As Applicable, Excavation, Milling, Paving, Reconstruction And Boxing Out And Resurfacing Or Full Depth Pavement Replacement, And Where Necessary, The Sealing Of Pavement Cracks, Installation Of Curbing And Driveway Aprons, Resetting Utility Castings, Drainage Improvements, Roadway Painting, Landscaping And Aesthetic Improvements;	\$200,000 (Including the Grant)	\$12,584	N/A	20.00 Years
(ii) <u>Public Works</u> – Acquisition Of Various Equipment Including, But Not Limited To, A Plow, A Trailer And An Excavator; And	\$50,000	\$47,619	\$2,381	5.00 Years
(iii) <u>Fire Department</u> – Acquisition of Personal Protective Equipment.	\$20,000	\$19,047	\$953	10.00 Years
TOTALS	<u>\$270,000</u>	<u>\$79,250</u>	<u>\$3,334</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$79,250.

(c) The aggregate estimated cost of said improvements or purposes is \$270,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the aggregate amount of down payment available for said purposes and the Grant.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering, architectural and design work, preparation of plans and specifications, permits, bid documents, and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, the County of Hunterdon and/or a private entity make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Hunterdon and/or a private entity. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Hunterdon and/or a private entity shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Township shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the

provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, is on file in the Office of the Clerk of the Township and is available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 8.58 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, Department of Community Affairs, State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$79,250 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$54,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements herein before described.

SECTION 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Township Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Township Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING

DATED: June 7, 2023

MARIA ANDREWS, Township Clerk, RMC

A motion was made by Hoyer and seconded by Dale to introduce Ordinance 04, 2023 upon first reading. The motion was unanimously approved by roll call vote.

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

It was noted for the record that the public hearing on Ordinance 04, 2023 will be listed on the Committee's 6/21/23 meeting agenda.

NEW BUSINESS/OTHER

Discussion Item: Possible Truck Ordinance

Committeeman Dale stated a resident had approached him about keeping big trucks off of township roads and he thought the Committee should consider implementing an ordinance. Committeewoman Hudson remarked that large trucks have gotten stuck on Gulick and Hewitt Road and she referred to Section 153 of the township code noting it would be a simple amendment to include tonnage and the names of specific streets to 153-24 and 153-25.

Mayor Hoyer commented the challenge is residents who will want their road included if it's one that hasn't been considered. Deputy Mayor Hoyer stated he would like input from Lieutenant Skillman and DPW Director Rollero. Committeeman Cally remarked the Planning Board is currently conducting a Master Plan Re-exam and suggested the Board could weigh in on the subject when the Circulation Plan Element comes up for review.

Committeeman Cally asked how updated road information gets included in the various GPS networks. Attorney Pandos stated he would look into the matter.

Acknowledgement: Cassidy L. Hunt – Junior Firefighter

It was noted for the record that the Committee acknowledged Cassidy Hunt as a new Junior Firefighter.

Approval: Application for Firemen's Association Membership – Porter C. Little

A motion by Bergenfeld, seconded by Cally to approve Porter Little's application for membership in the Firemen's Association was unanimously approved by voice vote.

Mayor Hoyer commented on a solar company working with the Thompson Land Trust group in East Amwell who contacted him about their program which could benefit the school, municipal buildings and potentially some residents. He remarked it is a private program and will be following up for further details.

ADMINISTRATIVE

A motion by Hudson, seconded by Dale to approve the 5/23/23, 5/30/23 and the 6/6/23 bill lists was unanimously approved by roll call vote.

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

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.

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OPEN TO THE PUBLIC

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

ADJOURNMENT

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

The meeting adjourned at 8:11 PM.

Maria Andrews, Township Clerk, RMC

Approved: 6/21/23