

WEST AMWELL TOWNSHIP COMMITTEE MEETING

August 17, 2022

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, Committeemen Stephen Bergenfeld, John Dale and Lucas Lyons along with Township Clerk Maria Andrews and Township Attorney William Pandos.

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 13, 2022, 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 a discussion on well and septic regulations will be added under New Business.

ANNOUNCEMENTS

The following announcements were made:

- Kindly Turn Cell Phones Off During the Meeting
- The Municipal Offices Return to Regular Hours 8:30 AM to 3:30 PM on 9/1/22
- 5th Annual Delaware River Clean-up is 9/17/22 – Register on the Township Website
- The Municipal Offices will be CLOSED: 9/5/22 – Labor Day Holiday

SPECIAL PRESENTATION

Swearing in of Patrolman James LaRocca

Patrolman LaRocca took his Oath of Office. Mayor Cally extended his congratulations and took some photos with Patrolman LaRocca and his family.

PRESENTATION OF MINUTES

A motion by Hoyer, seconded by Dale to approve the Committee's 6/15/22 meeting minutes with no revisions noted was approved by voice vote with Committeeman Bergenfeld abstaining.

A motion by Hoyer, seconded by Dale to approve the Committee's 7/20/22 meeting 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.

Steve Chernoski of *Tapinto* came forward and stated he is working on a regional news story regarding any FEMA project updates. Mayor Cally noted the Committee will be holding a special meeting on 8/24/22 to award the BID for the Swan Creek/Quarry Street restoration to repair the damage from Tropical Storm Ida.

Emily Deadwyler of 107 Snyderstown Road in East Amwell Township came forward and asked what control the Township Committee and Planning Board have when it comes to the next cannabis application. She expressed concerns over the lack of water monitoring. Mayor Cally explained the Cannabis Review Committee will work to ensure applicants are a good fit for the community.

Holly Abitz of 201 Rock Road West came forward and asked if a moratorium on cannabis applications could be put in place to see how things go with GMNJ. Mayor Cally remarked he did not believe this could be done.

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Mike Gural of 1748 Linvale-Harbourton Road asked when the Committee will review the cannabis ordinances for possible amendments. Mayor Cally suggested anyone with changes they would like considered should send them to the Clerk's attention.

Seeing no other members of the public come forward, Mayor Cally closed the floor to public comment.

RESOLUTIONS

Resolution #79-2022: Supporting Senate Bill 713 to Commemorate the Events of 9/11/01

Resolution #79-2022 Supporting Passage of Senate Bill No. 713 to Commemorate the Events of September 11, 2001

WHEREAS, The New Jersey State Senate recently passed Senate Bill No. 713, which would require school districts to include information on events of September 11, 2001, as part of New Jersey Student Learning Standards in Social Studies and requiring public schools to hold annual events commemorating September 11, 2001; and

WHEREAS, Commemorating September 11th annually allows families and friends to honor and remember the legacy of their loved ones whose lives were lost to the deadly terrorist attacks that day; and

WHEREAS, Including curriculum on September 11th as part of the regular public-school instruction will provide students with information on the historical context of the attack, a timeline of the day as events unfolded, the heroic actions of first responders that day and the immediate days that followed, the global response to the events of 9-11, and strategies for teaching tolerance, acceptance and embracing of people of different religions and cultures; and

WHEREAS, This legislation is needed to ensure that future generations do not forget about the tragedy of September 11, 2001 and also know that the United States and many nations rose up against this terrible act of international terrorism and reaffirmed a global commitment to freedom; and

NOW, THEREFORE, BE IT RESOLVED, that West Amwell Township extends its support of Senate Bill No. 713 as we approach the 21st anniversary of September 11th; and

BE IT FURTHER RESOLVED, that West Amwell Township calls upon the New Jersey Legislature to pass this legislation and for Governor Murphy to sign this bill into law so that future generations never forget the events of September 11, 2001.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at their meeting on August 17, 2022.

Maria Andrews, Township Clerk, RMC.

A motion by Bergenfeld, seconded by Dale to approve Resolution #79-2022 was unanimously approved by roll call vote.

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

Resolution #80-2022: Opposing the Proposed Increase in State Health Benefit Rates

Resolution #80-2022 Opposing the Proposed Increases to the State Health Benefits Program

WHEREAS, the State Health Benefits Program (SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified State and participating local government public employees, retirees, and eligible dependents; and

WHEREAS, all SHBP plans are self-funded meaning that the money paid out for benefits comes directly from a SHBP fund supplied by the State, participating local employers, and member premiums; and

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WHEREAS, the Division of Pensions and Benefits is responsible for the daily administrative activities of the SHPB, the State Health Benefits Commission is the executive organization responsible for overseeing the SHBP; and

WHEREAS, the State Health Benefits Commission, comprised of state officials and union representatives, annually consider premium levels for the Local Government Employer Group of SHBP based on recommendations found in the Rate Setting Recommendation Analysis of the Local Government Employee Group; and

WHEREAS, the preliminary rate increase for the 2023 Local Government Employer Group is 22.8%, which includes a 21.6% increase for Active, a 13% increase in Early Retiree, and a 0.7% increase for Medicare Retiree; and

WHEREAS, subsequent news accounts have Department of Treasury noting “rates for active members and early retirees would likely be increase between 12-20% across the various plans for the upcoming year;” and

WHEREAS, such proposed exorbitant rate increases will fall upon the local property taxpayer along with the local public employees at a time where there is record inflation; and

WHEREAS, the proposed premium increase for most active employees will take thousands more out of their paychecks annually and lead to huge costs for local governments that will translate into higher property tax bills for struggling families; and

NOW, THEREFORE, BE IT RESOLVED, that the governing body of West Amwell Township in the county of Hunterdon calls upon the State Health Benefit Commission to reconsider the rate increase and strike a rate increase that is appropriate in the current economic conditions; and

BE IT FURTHER RESOVLED, that the governing body of West Amwell Township in the county of Hunterdon urges the legislature to adopt legislation expanding the composition of the State Health Benefits Commission to include representatives from both municipal and county government management; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Murphy, State Treasurer Muoio, Senate President Scutari, Assembly Speaker Coughlin, and New Jersey State League of Municipalities.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at their meeting on August 17, 2022.

Maria Andrews, Township Clerk, RMC

A motion by Dale, seconded by Bergenfeld to approve Resolution #80-2022 was unanimously approved by roll call vote.

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

UNFINISHED BUSINESS

Status of Resolution Requesting County Superintendent to Investigate the Advisability of the Municipality Withdrawing from the all Purpose SHRS

Attorney Pandos commented that he is waiting on a response from the County.

(Note for the record: It was determined after the meeting that the Committee had not actually taken any action on this matter and no resolution had ever been sent to the County. Attorney Pandos had misspoke.)

NEW BUSINESS/OTHER

Discussion/Update: Request for Adjudicatory Hearing – NJDEP Reassignment from Tier B to Tier A

Attorney Pandos commented that he has not yet heard back from NJDEP on the matter.

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Discussion: Governor Murphy's New Law Requiring Municipalities to Create Business Ins. Registries

The Committee requested this matter be tabled until the State provides additional details on the requirements.

Discussion: Well and Septic Requirements

Committeeman Bergenfeld commented that he believes if a property changes hands the Township should be aware of the condition of both the well and septic and that the Board of Health should see the results of any testing that was done.

Attorney Pandos stated there is no requirement that the State, County or Municipality get any well or septic test results. He indicated he will look into what options the Township has regarding this matter.

It was noted for the record that the Committee suggested proof that wells and septic are working up to code requirements be a condition for obtaining a C.O. on any property.

SPECIAL PRESENTATION(S)

Reports by Department Heads

It was noted for the record that no reports were provided.

STANDING COMMITTEE REPORTS

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

Mayor Cally commented that there is a landlocked piece of property behind Hewitt Park that may be coming up for sale and suggested the Township look into whether or not it should be considered for purchasing by Open Space since it abuts the park.

OPEN TO THE PUBLIC

A motion by Hoyer, seconded by Bergenfeld to open the floor to public comment was unanimously approved by voice vote.

Lynn Petrus of 10 Wilson Road came forward and expressed confusion over why the Committee is discussing requirements for wells and septic but isn't willing to change the cannabis ordinances to protect the water supply in the Township. Mayor Cally commented that there is a difference between the Township governing residential properties and putting restrictions on businesses. He explained that is why the Planning Board puts conditions on many of their approvals.

Diane Yoder of 1748 Linvale-Harbourton Road came forward and asked if there is any update on when GMNJ is going to do their well testing. Township Clerk Andrews commented that she has forwarded the contact information along to the Township Engineer and Applicant's Attorney for anyone who has expressed an interest in being a part of that well testing.

Emily Deadwyler of 107 Snydertown Road in East Amwell Township came forward and referred to the Hydrogeology of the region and various limitations. Committeeman Dale spoke up and explained the GMNJ site could have potentially had multiple residential homes on it which each could have used 450 gpd of water per day and noted that would have been more daily usage than what GMNJ is proposing and he remarked that he doesn't understand what the problem is.

Mike Gural of 1748 Linvale-Harbourton Road came forward and commented on how GMNJ wanted unlimited water usage on their site.

Dave Beaumont of 205 Rock Road West came forward and commented that the County has 60 days to respond to the request for an advisability study regarding the Township's potential withdrawal from the all purpose South Hunterdon Regional High School. He then spoke about the equalized valuation, the usable sales within the Township and how properties sold for higher than their assessed values.

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Next, Mr. Beaumont gave a history of the traffic and the “bend” on Rock Road West/Rock Road extension for the purpose of potentially getting the roads reclassified under the ordinance. He noted he intends to address the likely increase in traffic on Rock Road due to the GMNJ application approval at an upcoming Committee meeting.

Seeing no other members of the public come forward, Mayor Cally closed the floor to public comment.

ADMINISTRATIVE

A motion by Hoyer, seconded by Dale to approve the 7/20/22 and the 8/8/22 bill lists was unanimously approved by roll call vote.

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

OTHER

Resolution #81-2022: Closed Session – Personnel/Contracts – Litigation/Affordable Housing

Resolution #81-2022

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 Bergenfeld, seconded by Hoyer to approve Resolution #81-2022 and enter into Closed Session was unanimously approved by voice vote.

A motion by Dale, seconded by Lyons to return to Open Session was unanimously approved by voice vote.

Upon returning to Open Session, Mayor Cally made the following appointments to the Cannabis Review Committee: Township Zoning Official Steve Rodzinak, Committeemen Gary Hoyer and John Dale and township residents Connor Montferrat and Scott Greenwood.

It was noted for the record that the Committee was in Closed Session from 8:42 PM – 9:36 PM.

CORRESPONDENCE

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

ADJOURNMENT

Mayor Cally adjourned the meeting at 9:40 PM.

Maria Andrews, Township Clerk, RMC

Approved: 9/7/22