

WEST AMWELL TOWNSHIP COMMITTEE MEETING
September 15, 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.

Mayor Bergenfeld thanked the Police, Fire, OEM and DPW Departments for all of their efforts during Hurricane Ida and the subsequent storm clean-up.

AGENDA REVIEW BY TOWNSHIP CLERK

Clerk Andrews noted under New Business, Resolutions #81-2021 and #82-2021 have been added as well as a discussion on the bridge in the Hills of Hunterdon development.

ANNOUNCEMENTS

The following announcements were made:

- Kindly Turn Cell Phones Off During the Meeting
- 4th Annual Delaware River Clean-up is Being Rescheduled – Look for Sign-up Information on the Township Website
- The 175th Township Anniversary Celebration is: 9/25/21 – Look for Details on the Township Website

PRESENTATION OF MINUTES

A motion by Hoyer, seconded by Cally to approve the Committee's 8/18/21 minutes with no revisions noted was approved by voice vote with Mayor Bergenfeld abstaining.

OPEN TO THE PUBLIC/TOPICS NOT ON THE AGENDA

Mayor Bergenfeld opened the floor to public comment. Betty Jane Hunt came forward on behalf of the Historic Preservation Committee and asked if they could hand out a flyer promoting the 175th Anniversary Celebration at the Recycling Depot this week. It was noted for the record that the Committee supported handing out the flyers.

Seeing no other members of the public come forward, a motion was made by Cally and seconded by Dale to close the floor to public comment. The motion was unanimously approved by voice vote.

SPECIAL PRESENTATIONS

Proclamation: West Amwell Township's 175th Anniversary

Mayor Bergenfeld read the following Proclamation into the record:

WEST AMWELL TOWNSHIP
175TH ANNIVERSARY PROCLAMATION

WHEREAS, West Amwell was formed from Amwell by an act of the State Legislature on February 27, 1846; and

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WHEREAS, the Act became effective on April 1, 1846; and

WHEREAS, 2021 marks the 175th Anniversary of West Amwell Township; and

NOW, THEREFORE, BE IT RESOLVED that the West Amwell Township Committee recognizes this year of 2021 as an important milestone in the Township’s history; and

BE IT FURTHER RESOLVED that the Township Committee uses this year to remember all of the people who have volunteered through the years to keep West Amwell a beautiful place to live, raise a family and conduct business; and

BE IT FURTHER RESOLVED that the Township Committee recognize some special residents who are the children of the Great Depression, experiencing tremendous hardship and who witnessed the horrors of World War II through a child’s eyes; they are:

Lorraine Aneskewich	Patricia Comly	Margaret Levy
Mary Aneskewich	William Gill	Katherine McGuire
Robert Aneskewich	Elsie Gulick	Robert Miller
Joseph Bartzak	Mary Hoagland	Henry Nalance
John Bartan Case	Julia Kerr	Rose Nanni
Norma Case	Betty Knechel	Jesse Winder
		Josephine Weiss

BE IT FINALLY RESOLVED that the Township Committee set aside September 25, 2021 as a special day to celebrate West Amwell’s history, accomplishments as a community, and all future endeavors.

*PASSED BY ORDER OF AND HEREBY SIGNED BY THE MAYOR AND TOWNSHIP COMMITTEE MEMBERS
THIS 15th DAY OF SEPTEMBER, 2021.*

Stephen Bergenfeld, Mayor

James Cally, Deputy Mayor

John Dale, Committeeman

Gary Hoyer, Committeeman

Lucas Lyons, Committeeman

Mayor Bergenfeld noted that if anyone’s name had inadvertently been omitted, the Proclamation would be amended to include them.

Reports by Department Heads – Storm Update from DPW Director Rollero

DPW Director Rollero provided a copy of a Hurricane Ida Storm Damage Report noting that on September 1st and 2nd the Township experienced the largest rainfall event on record in the shortest amount of time: 11 inches in 6 hours which resulted in severe damage to 4 bridges:

Alexauken Creek Road Bridge W-116

Rocktown-Lambertville Road Bridge W-53

Barry Road Bridge W-27

Hamp Road Bridge W-120

Additionally, there was damage to stream banks and guardrails as well as section of roadways being washed out. Director Rollero noted a portion of Stymiest Road is inaccessible. An emergency repair estimate from Hunterdon Horizons was provided to the Committee to address the necessary repairs for this road.

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Director Rollero commented that he has spent \$9407.00 to date on time and materials to repair various roadways throughout the Township and indicated he will need an additional, minimum, of \$14,000.00 to address the road reconstruction and stabilization needed to be done as a result of the recent storm damage.

It was noted that all expenses are being documented in the hopes that FEMA will reimburse the Township for 75% of the costs.

OEM Director Harry Heller came forward and gave an overview of the rescues and calls for service that came in during the 24 hour period from 5:00 PM on 9/1/21 – 5:00 PM on 9/2/21 as a result of flooding from Hurricane Ida:

Water rescues/Assist person: 18

Tree down: 6

Wires down: 4

Property damage: 4

Hazardous roadway/flooding: 9

Director Heller noted the following volunteer services were all involved: West Amwell Fire Company, Lambertville/New Hope Ambulance & Rescue Squad and the Amwell Valley Ambulance Corps.

Fire Chief Ent came forward and provided a storm update noting the West Amwell Fire Company had 29 dispatches in a 24 period and handled 7 water rescues, 1 structure fire and assisted with 9 victims.

Lastly, Chief Ent commented on the recent repair to their ladder truck costing \$85,214.22 and stated the Fire Company has paid the bill but would like the Township to reimburse them if they ever sell the truck.

It was noted for the record that the Committee thanked DPW Director Rollero, OEM Director Heller and Chief Ent for all of their storm coverage and clean-up efforts.

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

Introduction: Ordinance 08, 2021 – AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON TO AMEND CHAPTER 88, “FIRE PREVENTION,” ARTICLE I “UNIFORM FIRE CODE ENFORCEMENT,” SECTION 8 “REQUIRED INSPECTIONS, PERMIT AND FEES” TO UPDATE THE FEES

Mayor Bergenfeld read Ordinance 08, 2021 by title.

THE TOWNSHIP OF WEST AMWELL

COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE 08, 2021

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON TO AMEND CHAPTER 88, “FIRE PREVENTION,” ARTICLE I “UNIFORM FIRE CODE ENFORCEMENT,” SECTION 8 “REQUIRED INSPECTIONS, PERMIT AND FEES” TO UPDATE THE FEES

WHEREAS, the Township Fire Inspector has made some recommendations to the Township Committee for changes to the fire inspection fees; and

WHEREAS, the Township wishes to make the changes recommended by the Township Fire Inspector; and

NOW, THEREFORE, BE IT ORDAINED, by the Committee of the Township of West Amwell, County of Hunterdon that the Code of the Township of West Amwell be amended as follows:

Section 1 Chapter 88, FIRE PREVENTION, Article I “UNIFORM FIRE CODE ENFORCEMENT,” SECTION 8 “REQUIRED INSPECTIONS, PERMIT AND FEES”:

§88-8 Required Inspections, Permit and Fees

- A. 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.
- B. Any structure or event that is required to have a permit will obtain permit application and pay proper fee that is set forth in the Uniform Fire Code and have an inspection by Fire Official prior to event or use.
 - 1. Type 1: shall be \$60, unless a higher fee is adopted by the N.J. Uniform Fire code, N.J.A.C. 5:70-2.9(c)(1).
 - 2. Type 2: shall be \$215, unless a higher fee is adopted by the N.J. Uniform Fire code, N.J.A.C. 5:70-2.9(c)(2).
 - 3. Type 3: shall be \$430, unless a higher fee is adopted by the N.J. Uniform Fire code, N.J.A.C. 5:70-2.9(c)(3).
 - 4. Type 4: shall be \$641, unless a higher fee is adopted by the N.J. Uniform Fire code, N.J.A.C. 5:70-2.9(c)(4).
 - 5. Type 5: which is currently reserved and has no fee, unless a fee is adopted by the N.J. Uniform Fire Code, N.J.A.C. 5:70-2.9(c)(5).
- C. Fee structure for life hazard uses in buildings and around buildings is based on fee schedule set forth by the State of New Jersey Uniform Fire Code.
- D. Fee schedule for non-life-hazard uses is based on fee schedule below.

Fees for Inspection of Non-Life-Hazard Uses

UCC Code Type		Annual Fee
Business Use Group	Under 2,500 square feet	\$75
	2,500 through 4,999 square feet	\$100
	5,000 through 9,999 square feet	\$150
	10,000 square feet and over	\$200
Factory Use Group		
F-1	Under 6,600 square feet	\$200
	Under 12,000 square feet	\$400
F-2	Under 6,600 square feet	\$200
	Under 12,000 square feet	\$400
Mercantile Use Group		
M-1	Under 6,000 square feet	\$150
M-2	6,000 through 11,999 square feet	\$300
Storage Use Group		
S-1	Under 6,000 square feet	\$75

	Under 12,000 square feet	\$150
S-2	Under 10,000 square feet	\$75
	Under 10,000 square feet	\$150

Residential Use Group

3 to 6 units	\$75
7 to 12 units	\$150
13 to 20 units	\$250
Over 20 units	\$400

Utilities Use Group

U-1	Under 2,500 square feet	\$75
U-2	2,500 square feet and over	\$125

Assembly Use Group	Under 5,000 square feet	\$175
	Over 5,000 square feet	\$300

NOTES:

1. Uses not classified above will be classified as business uses.
 2. Uses required to be registered with the state as life hazards uses shall not be required to register under this subsection.
 3. Any buildings, structures or premises that are tax exempt according to the official tax records of the Township will be exempt from the non-life-hazard use registration fee. However, these buildings will be inspected as required by the Uniform Fire Code.
 4. Vacant buildings will be charged and inspected according to the previous use of the building.
 5. Residential uses shall be inspected in the common areas and each dwelling unit.
 6. Exceptions: Any not-for-profit building that is not a life hazard use will be exempt from fee but still must be inspected and any violations abated.
- E. The application fee for a certificate of smoke detector compliance, CSDSMAC, as required by N.J.A.C. 5:70-2.3, shall be \$75 with more than 10 days' notice; with four to 10 days' notice; and, \$175 with less than four days' notice.

Section 3 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 4 Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 5 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Hoyer to introduce Ordinance 08, 2021 upon first reading was unanimously approved by roll call vote.

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

It was noted for the record that the public hearing on Ordinance 08, 2021 is set for 10/6/21.

Mayor Bergenfeld recused himself from the meeting at this time.

Public Hearing: Ordinance 09, 2021 – AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON TO ADD CHAPTER 62 “CANNABIS LICENSING, REGISTRATION AND BUSINESS REGULATIONS”

Deputy Mayor Cally read Ordinance 09, 2021 by title.

**THE TOWNSHIP OF WEST AMWELL
COUNTY OF HUNTERDON, NEW JERSEY
ORDINANCE 09, 2021**

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON TO ADD CHAPTER 62 "CANNABIS LICENSING, REGISTRATION AND BUSINESS REGULATIONS"

WHEREAS, on February 22, 2021, Governor Murphy signed into law the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (P.L. 2021, c. 16) (the “NJCREAMMA”), which legalizes the recreational use of marijuana by adults 21 years of age or older and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession;

WHEREAS, section 31a of NJCREAMMA authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location, manner and times of operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, NJCREAMMA further strengthens municipal control over such uses and allows, at the discretion of the municipality, a tax to be imposed on: receipts from the sale of cannabis by a cannabis cultivator to another cannabis cultivator; receipts from the sale of cannabis items from one cannabis establishment to another cannabis establishment; receipts from the retail sales cannabis items by a cannabis retailer to retail consumers, with each municipality setting its own rate or rates, but in no case shall a rate exceed: two percent of the receipts from each sale by a cannabis cultivator; two percent of the receipts from each sale by a cannabis manufacturer; one percent of the receipts from each sale by a cannabis wholesaler; and two percent of the receipts from each sale by a cannabis retailer.; and

WHEREAS, the Township supports regulations guiding the safe and appropriate siting of cannabis related and supporting businesses within the Township, including medical and adult use cannabis dispensaries, cultivation centers, manufacturing facilities, and testing facilities; and

WHEREAS, on August 18, 2021, the Township adopted Ordinance 06, 2021 establishing Section 109, Part 10, Article XLIII to regulate Cannabis Related Businesses and Chapter 104 establishing a Cannabis Related Transfer Tax; and

WHEREAS, the Township wishes to establish Chapter 62 "Cannabis Business Licensing, Registration and Business Regulations; and

NOW, THEREFORE, BE IT ORDAINED, by the Committee of the Township of West Amwell, County of Hunterdon that the Code of the Township of West Amwell be amended as follows:

Section 1. Chapter 62, CANNABIS BUSINESSES

§130-1 License Required.

The regulations of this Ordinance are subject to the enabling authority of the State of New Jersey and are subject to compliance with all statutes and/or regulations adopted by the State of New Jersey or its instrumentalities, including the Cannabis Regulatory Commission. If any provision of this Ordinance is inconsistent with state statutes and/or regulations, the state statutes and/or regulations shall prevail.

The purpose of this article is to enable the Township of West Amwell to take effective action to assure that all cannabis-related businesses advance the requirements of their licensure as regulated by the State of New Jersey, by ensuring the citizens of the Township of West Amwell are provided ample opportunity to participate within this new industry while advancing community development initiatives, including but not limited to; social justice related programming, job training, enhanced recreational opportunities, public health and drug prevention education, and/or support thereof.

§130-2 Definitions.

The terms used in this Chapter shall be as provided for under Chapter 109, Land Development.

§130-3 Permitted locations and limitations on Cannabis Business. Cannabis Businesses shall be prohibited in all other zoning districts within the Township except those specifically permitted in Chapter 109, Land Development. Limitations on cannabis businesses shall be in accordance with those limitations set forth in Chapter 109, Land Development.

§130-4 Local licensing authority. A Township Cannabis Advisory Committee (CAC) as appointed below will act as the body for local review for the Township for all cannabis establishments but the authority and responsibility to activate suspend and revoke such licenses remains with the Township Committee. Under all circumstances in which State law requires communication to the Township by the Cannabis Regulatory Commission or any other State agency with regard to the licensing of cannabis establishments by the State, or in which State law requires any review or approval by the Township of any action taken by the State licensing authority, the exclusive authority for receiving such communications and granting such approvals shall be communicated through the Township Clerk's Office upon recommendation by the Township Cannabis Advisory Committee and authorized by the Township's Governing Body.

A. Members of said CAC shall include residents and business owners located within the Township. The appointees shall include at a minimum one member from the following categories:

(1) Mayor or Designee

(2) Township Committee member or Designee

(3) West Amwell Township Office in Charge or Designee

(4) Up to Two (2) Appointees by Township Committee of which one shall be a resident and one shall be a member of the Business community

B. The Committee shall be supported by the Township Attorney and Township Planning & Zoning Office. The Committee may request additional resources as necessary to effectuate the responsibilities of the Committee.

C. Of the members of the Committee, no member shall be affiliated with or related to a New Jersey Adult Use Cannabis Business or Medical Cannabis Establishment or prospective licensee, but all shall be resident or business owner of the Township within the past five (5) years.

D. Duties of the Committee will be to advise the Township Governing Body as to the issuance of Cannabis Business Permits within the Township of West Amwell. The CAC's review shall be based on the information contained in the Request for Proposals issued by the Governing Body and shall be made consistent with the criteria outlined in this Chapter, in addition to the issuance of detailed application criteria made available prior to RFP release.

E. No member of the committee may hold interest in, or be related to an applicant.

F. All meetings of the Committee shall be subject to the Open Public Meetings Act, with minutes kept.

§130-5 Effectiveness. Under no circumstances shall a local permit for a cannabis establishment issued through the Clerk be effective until or unless the State has issued the requisite licenses to operate such a facility. It is the intent of this Chapter that no cannabis establishment may lawfully operate in the Township of West Amwell without the issuance of a State license and full regulatory oversight of the cannabis establishment by the Cannabis Regulatory Commission or other state licensing authority as well as the issuance of a Cannabis Business Permit by the Township.

§130-6 Application. Persons wishing to obtain any classification of cannabis license shall file a license application with the Committee, on a standardized form established by the Committee and available in the Clerk's office once the Township has issued a Request for Proposals (RFP). The Committee shall establish a reasonable application period and deadline for all applications and shall include sufficient notice of the application period opening. Such application period shall be held once annually. An application shall be deemed incomplete and shall not be processed by the Clerk and transmitted to the Committee, until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:

A. The applicant shall submit:

1. Proof that the applicant has or will have lawful possession of the premises proposed for the cannabis establishment, which proof may consist of: A deed, a lease, a real estate contract contingent upon successful licensing, or a binding letter of intent by the owner of the premises indicating an intent to lease the premises to the entrant contingent upon successful licensing.

2. An affidavit and documentary proof of compliance with all state and local laws regarding affirmative action, anti-discrimination and fair employment practices. The applicant shall also certify under oath that they will not and shall not discriminate based on race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations.
 3. Information on the location proposed for licensing by the applicant which shall comply with all applicable municipal zoning laws and the location restrictions set forth in this Code with a Conditional Zoning Permit required.
 4. Proof of governance and financial capability, including but not limited to: governance documents, ownership interests, proof of good standing with the State of New Jersey, financial statements, business plan, tax returns, detailed long-term debt description, information on principals, directors and board members, as well as compensation plans. Standards for proof of financial capability shall be presented in strict confidence as determined by the requirements of the CRC.
 5. A narrative on the procedures for cultivation, storage and/or dispensing of cannabis, including any recording keeping or inventory control mechanisms, fee schedules and proposed hours of operation
- B. The applicant shall submit a fee for the application for a conditional permit in the amount of \$5,000. Micro-licenses shall submit a fee of \$1,000.
 - C. Bi-annual Registration Fees (every 2 years). Upon obtaining a State license shall submit bi-annual registration fees of \$10,000. Micro-licenses shall submit a fee of \$2,000.
 - D. Transfer Fees. Assuming authorized by the State, an applicant shall remit a transfer fee of 10% of sale of the license or \$10,000, whichever is greater in addition to assuming the terms agreed to in any Local Host Agreement in force at that time of transfer.
 - E. The applicant and the application shall otherwise comply with any and all qualification standards set forth in the State and Township laws or regulations. Including copy of state license application including any supporting documents.

§130-7 Evaluation.

- A. The Committee shall evaluate all applicants and issue a recommendation of award after consideration and evaluation to the Township Governing Body. Presentation by an applicant before the Township Cannabis Committee is required. Any ties shall be broken by the Township Committee. Each application shall be reviewed within the confines of the license category being sought. (For example, a retailer should focus on customer service, marketing, branding and architectural presentation, and public access issues, while a cultivation, distribution, wholesale operation on security, job environment, truck access and loading, and security. Micro-licenses should focus on their business plan and tangentially related experiences and support structures.). Subjectivity in regard to personal tastes and aesthetic matters should be restrained in favor of the thoroughness and level of detail by which an applicant responds. Prior to issuing the request for applications §130-7 the Committee shall establish and publish final criteria and weight categories in accordance with any applicable laws and regulations, which shall be timestamped. Generally, the Committee shall utilize the following upon finalizing criteria for publication:

- (1) Applicant's owners' or principals' qualifications and experience operating in highly regulated industries, including cannabis, but also healthcare, pharmaceutical manufacturing, retail pharmacies, or other relevant industries with preference to experience operating such businesses within the State of New Jersey.
- (2) Applicant's brand and proposal for the physical presence of the business. Including but not limited to: the site's ability to meet all land use regulations (parking, landscaping, signage, etc.), handle future expansions if applicable, architectural treatments, customer experience (where applicable), etc.
- (3) A summary of the applicant's operational plans; including, but not limited to: storage of products, currency and transport, physical security, video surveillance, security personnel, and visitor management.
- (4) Applicant's orientation to research and development of Cannabis. Including but not limited to: its owners' experience conducting, supporting, and/or future plans to conduct institutional review board-approved research related to medical cannabis or substance abuse. Include whether the applicant has had any assurance accepted by the U.S. Department of Health & Human Services indicating the applicant's commitment to complying with 45 CFR Part 46 (human subjects); and whether the applicant has a research collaboration or partnership agreement in effect with an accredited U.S. school of medicine, or osteopathic medicine with experience conducting cannabis-related research, or other institutions of higher learning dedicated to cannabis research or occupational training
- (5) Applicant's or its owners' demonstrated commitment or sufficient experience as responsible employers, defined as the applicant entity being a committed to a local program in collaboration with organizations committed to the well-being of residents, including, but not limited to the Township and surrounding service area. Provide evidence in letters of support and agreements. (Local workforce hiring and development plan, Community service, Collaborations with a university or specialized training facility such as, but limited to Vo-Tech, and dedicated support to social justice initiatives.).
- (6) Summary of the applicant's environmental impact/mitigation, and sustainability plan; whether the applicant entity or its parent company has any recognitions from or registrations with federal or New Jersey state environmental regulators for innovation in sustainability; and whether the applicant entity or its parent company holds any certification under international standards demonstrating the applicant has an effective environmental management system or has a designated sustainability officer to conduct internal audits to assess the effective implementation of an environmental management system.
- (7) Applicant's demonstrated commitment to the community and any ties to the host community demonstrated by at least one shareholder's proof of residency in the Township for five or more years in the past ten years, or at least one shareholder's continuous ownership of a business based in town for five or more years in the past ten years.

- (8) Applicant's experience and/or commitment to community health related programs and associated charitable organizations, including but not limited to, particular attention toward prevention of drug and alcohol abuse including but limited to youth and vulnerable persons both locally and regionally.
 - (9) Diversity in its ownership composition and hiring practices; Including applicant's commitment to utilize local sources of labor and associated building materials.; Applicant's commitment to supporting and working with local micro-licensees, including but not limited to contracting with and/or training/mentorship; The applicant entity or its parent company holds any certifications as a NJ minority-owned, women-owned, or veteran-owned business.
- B. Annually, up to two (2) applicants for a Cannabis Retailer may be recommended to the Governing Body for their consideration in granting a conditional Township Cannabis Business Permit with all scores, application submittals and recommendations in a detailed report to be submitted to Committee for their consideration. Upon receipt of the Committee's recommendation, the Committee reserves the right ask for public presentations when and where appropriate as part of their review process.

§130-8 Award of Township Cannabis License

- A. Notwithstanding the foregoing competitive application process, a notification of award and conditional license shall entitle the recipient applicant to pursue a State license in the requisite classification for up to 12 months, which may be extended in the Township Committee's discretion for an additional 6 months for good cause. No business may operate until the applicant has received a State license and satisfied other prerequisites of municipal permit. If the recipient of a notice of award and conditional permit has not received a State permit or license within 12 months from issuance, unless extended for good cause, the Township Committee shall issue a new request for applications and evaluate all applicants for licensure under the above criteria.
- B. Term of License and License renewals.
- (1) Any local License issued pursuant to this Chapter that receives a State Cannabis License to operate shall be valid for a period of two (2) years from the date of state issuance and shall be renewed in accordance with the provisions of this Chapter. Upon licensure, the Adult Use Cannabis Business shall seek to obtain all land development approvals, construction permits and be open within one (1) year.
 - (2) The Township Committee may, at its discretion, adjust the renewal date of the local license to correlate with an applicant's State licensing and renewal schedule.
 - (3) Renewal of any license shall be governed by any code amendments, additional restrictions or changes in regulations adopted since the previous license was issued or renewed in addition to any history of property maintenance and zoning code violations.

- (4) Transfer of ownership of any local license or change of location of any license or modification to expand a licensed premise shall be subject to Township Committee review and Commercial property/tenant transfers and associated inspections. Such review shall be in accordance with 139-8 Evaluation (above).
 - (5) Except where the Committee has received a complete renewal application along with the requisite fees, and has issued a license renewal, it shall be unlawful for any person to manufacture, sell, distribute, transfer, transport, or otherwise remove cannabis or cannabis products from the premises of any license after the expiration date recorded on the face of the license.
- C. Award. In the event more than one application for a Cannabis Retailer or Medical Cannabis Dispensary is submitted to the Township which is too close in proximity to another application, the Township is not permitted to approve all of the applications because of the limitations set forth in this subsection. The Township Committee in consultation with the Committee's application evaluation shall make a determination if reasonable accommodations can be made to eliminate the conflict.
- D. The conditional Local Host Agreement with the Township shall be contingent upon State license approval. Upon receipt of a State License, the local host agreement shall be fully executed. No applicant shall commence operation in the Township without execution of an Agreement.

§130-9 Disciplinary Actions; Sanctions; Penalties

- A. Disciplinary actions. Procedures for investigation of permit violations and for suspension, revocation, or other permit sanctions as a result of any such violation shall be as follows:
 - (1) First offense: Up to \$250 per violation per day;
 - (2) Second offense: Up to \$500 per violation per day;
 - (3) Third violation shall result in summary suspension.
- B. Summary suspension. Notwithstanding the foregoing section, when the Township has reasonable grounds to believe that a Permittee has engaged in deliberate and willful violation of any applicable law or regulation, or that the public health, safety, and/or general welfare has been jeopardized and requires emergency action, the Township may enter a temporary summary suspension order for the immediate suspension of the permit and notice to the Cannabis Regulatory Commission pending further investigation.
 - (1) The temporary summary suspension order shall be in writing and shall state the reasons therefore.
 - (2) The Township shall convene a review panel from the Committee of at least 3 members. The hearing shall be scheduled within 30 days of the date of the temporary suspension order.
 - (3) The permittee shall be afforded an opportunity for a hearing as outlined herein.

- (4) The review panel shall review the matter and recommend whether a full suspension of the license is warranted as well as whether any fine, condition, restriction, or combination thereof is authorized. In the absence of State specified penalties, the Township may issue fines up to, but not to exceed, \$2,500 per offense and/or suspension of permit for a period not to exceed 6 months. The Township Committee may affirm, amend or deny any recommended action.
- C. Inactive permits. Following the commencement of retail sales of cannabis or cannabis products, the Township Committee may suspend or revoke any permit if a permitted premises have been inactive or unoccupied by the permittee for at least 6 months.
- D. State license. The Township Committee may suspend or revoke any permit if the corresponding State license for the subject location is expired, surrendered, suspended, or revoked.

Section 4 Severability. Should any section, clause, sentence, phrase or provision of this article be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article.

Section 5 Repealer. All prior ordinances or parts of same inconsistent with any provisions of this article are hereby repealed to the extent of such inconsistency.

Section 6 Effective Date. This ordinance shall take effect upon final adoption and publication in accordance with law.

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

ATTEST

By Order of the Township Committee

Maria Andrews, Township Clerk, RMC

James Cally, Deputy Mayor

A motion by Hoyer, seconded by Dale to open the floor to public comment on Ordinance 09, 2021 was approved by voice vote. Seeing no members of the public come forward, a motion was made by Dale and seconded by Hoyer to close the floor to public comment. The motion was approved by voice vote.

A motion by Hoyer, seconded by Dale to adopt Ordinance 09, 2021 was approved by roll call vote.
Cally: Yes, Dale: Yes, Hoyer: Yes, Lyons: Yes

Mayor Bergenfeld returned to the meeting at this time.

STANDING COMMITTEE REPORTS

- A. Open Space: John Cronic, Chairman of the Open Space Committee explained the prospective buyers of Block 32 Lot 7.04 on Wilson Road would like to relocate the 3 acre exception area to a spot on the property that would allow for the best views. Mr. Cronic noted the exception area was originally a “floating” area and he indicated the Open Space Committee took no issue with the proposed relocation. Attorney Campbell commented that she prepared a resolution in anticipation of approval at this evening’s meeting and once the metes and bounds description is provided by the surveyor the deed can be recorded with the County to make the new location official.

Mr. Cronic also noted that the bridge on Hamp Road was taken out during the flooding from Hurricane Ida and he remarked the hunting club no longer has access to the Titus Meadow

Minutes: 9/15/21

parcel. He commented that he will be reaching out to Delaware Township to ask permission to access the property from their side. Next, Mr. Cronic indicated that the hunting club would like to expand to hunt “semi-wild” game to include birds on the weekends. It was suggested that the annual fee for the club be increased by \$500 to accommodate the expanded hunting. It was noted that only 4 or 5 people at a time hunt on the property.

Lastly, Mr. Cronic commented on all of the property damage from Hurricane Ida. Mayor Bergenfeld remarked there is a lot of debris in the waterways throughout the Township. He stated NJDEP is now allowing us to get in there and clean up any blocked areas. It was noted that funding from Open Space will cover the costs to rent the necessary excavating equipment and will be repaid by any reimbursement the Township receives from FEMA. Mayor Bergenfeld commented that any repairs from storm damage in Hewitt Park will also be taken out of the Open Space funding and paid back by any FEMA reimbursement.

- B. Environmental: No report given.
- C. Ag Advisory: No report given.
- D. Finance Committee: No report given.

UNFINISHED BUSINESS

Update: PennEast Status

The Committee noted receipt of an email dated 9/12/21 from Attorney Timothy Duggan requesting the Township’s consent to enter into a Stipulation of Dismissal of the eminent domain case filed by PennEast because he noted in the email that while PennEast is not abandoning the project, they are seeking to dismiss the lawsuit, which means that they can come back later to try and get the project through again.

Attorney Campbell advised the Committee that she believes they should authorize Attorney Duggan to file the Stipulation of Dismissal.

A motion by Cally, seconded by Lyons authorizing Attorney Duggan to file a Stipulation of Dismissal on behalf of the Township was unanimously approved by voice vote.

NEW BUSINESS/OTHER

Appointment: Finance Committee – J. Batchellor

Mayor Bergenfeld appointed Jen Batchellor to the Finance Committee to fill the vacant spot through 12/31/21.

Resolution #75-2021: Asphalt Paving Systems Change Order

RESOLUTION #75-2021

A RESOLUTION APPROVING A CHANGE ORDER INCREASE TO ASPHALT PAVING SYSTEMS, INC. FOR ASPHALTIC SURFACE TREATMENTS IN THE AMOUNT OF \$6633.43

WHEREAS, Resolution #57-2021 dated June 16, 2021 authorized the purchase of Asphaltic Surface Treatment from Asphalt Paving Systems, Inc. in the amount of \$104,074.53; and

WHEREAS, an additional 3473 SY was split between all chip sealed roads due to variable roadway widths; and

WHEREAS, said Change Order will increase the overall contract by \$6633.43 for a final contract amount of \$110,707.96; and

WHEREAS, the Chief Financial Officer, as part of this resolution, has certified that funds are available; and

WHEREAS, this Change Order will not exceed the originally awarded contract amount by more than twenty (20) percent as per N.J.A.C. 5:30-11.3(9); and

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NOW, THEREFORE, BE IT RESOLVED, by the West Amwell Township Committee that this Change Order increase in the amount of \$6633.43 is approved and the Chief Financial Officer is authorized to execute same along with any other documents required.

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 West Amwell Township Committee on September 15, 2021.

Maria Andrews, Township Clerk, RMC

A motion by Dale, seconded by Cally to approve Resolution #75-2021 was unanimously approved by roll call vote.

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

Resolution #76-2021: Tax Redemption Block 46 Lot 13

RESOLUTION #76-2021

WHEREAS, the Township of West Amwell sold at the Municipal Tax Sale held on July 23, 1991, a lien on Block 46 Lot 13, also known as Coryell Road in West Amwell Township, for 1991 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate #40-91, was sold to West Amwell Township, and

WHEREAS, the amount of \$283.33 has been received from George W. Arnett III owner of the property for redemption of Certificate #40-91,

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check, and the Mayor, Clerk, and Treasurer be authorized to sign a check in the amount of \$283.33 payable to West Amwell Township for the redemption of Tax Sale Certificate #40-91.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Tax Collector and Finance Officer.

By Order of the Township Committee,

Stephen Bergenfeld, Mayor

A motion by Hoyer, seconded by Dale to approve Resolution #76-2021 was unanimously approved by roll call vote.

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

Resolution #77-2021: Tax Redemption Block 41 Lot 7

RESOLUTION #77-2021

WHEREAS, the Township of West Amwell sold at the Municipal Tax Sale held on October 23, 1990, a lien on Block 41 Lot 7, also known as 204 Hancock Street in West Amwell Township, for 1989 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate #25-90, was sold to West Amwell Township, and

WHEREAS, the amount of \$357.34 has been received from George W. Arnett III owner of the property for redemption of Certificate #25-90,

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NOW, THEREFORE, BE IT RESOLVED, that the Treasurer be authorized to issue a check, and the Mayor, Clerk, and Treasurer be authorized to sign a check in the amount of \$357.34 payable to West Amwell Township for the redemption of Tax Sale Certificate #25-90.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Tax Collector and Finance Officer.

By Order of the Township Committee,

Stephen Bergenfeld, Mayor

A motion by Cally, seconded by Dale to approve Resolution #77-2021 was unanimously approved by roll call vote.

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

Resolution #78-2021: Tax Billing Adjustment for Block 46 Lot 13 and Block 41 Lot 7

RESOLUTION #78-2021

WHEREAS, the Township of West Amwell was transferred ownership on April 28, 2021, of the properties at Block 41 Lot 7, also known as 204 Hancock Street and Block 46 Lot 13, also known as Coryell Road, in West Amwell Township; and,

WHEREAS, the deed dated April 28, 2021, recorded in Book 2536, Page 28, to West Amwell Township, and

WHEREAS, adjustments are necessary to the records of the Tax Collector,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of West Amwell Township, County of Hunterdon, State of New Jersey that the following adjustments be approved.

<u>OWNER</u>	<u>BLOCK/LOT</u>	<u>AMOUNT</u>	<u>REASON</u>
West Amwell Twp.	41 / 7	\$26.45	Prior Billing – now Twp. Owned
West Amwell Twp.	46 / 13	\$17.63	Prior Billing – now Twp. Owned

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Tax Collector and Finance Officer.

By Order of the Township Committee,

Stephen Bergenfeld, Mayor

A motion by Cally, seconded by Dale to approve Resolution #78-2021 was unanimously approved by roll call vote.

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

Resolution #79-2021: Accepting Donation for Township's 175th Anniversary Celebration

RESOLUTION ACCEPTING DONATION OF FUNDS FOR 175TH
TOWNSHIP ANNIVERSARY CELEBRATION
Resolution #79-2021

WHEREAS, West Amwell Township is hosting a 175th Anniversary Celebration on September 25, 2021; and

WHEREAS, residents Bruce and Linda Meier wish to donate \$500.00 to offset the cost of refreshments for the celebration; and

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NOW THEREFORE BE IT RESOLVED, that the Township graciously accepts the Meier's donation.

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 September 15, 2021.

Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Dale to approve Resolution #79-2021 was unanimously approved by roll call vote.

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

It was noted for the record that the Committee thanked the Meier's for their generous donation.

Resolution #81-2021: Cancelling Tax Sale Certificate 5-2007 on Block 39 Lot 2.03 and Tax Sale Certificate 6-2007 on Block 39 Lot 2.02

**RESOLUTION OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY,
Cancelling Tax Sale Certificate 5-2007 on Block 39, Lot 2.03
and Tax sale certificate 6-2007 on block 39, lot 2.02
Resolution #81-2021**

WHEREAS, Tax Sale Certificate #5-2007 was issued by the Township of West Amwell for delinquent taxes on Block 39, Lot 2.03 at a tax sale held on December 11, 2007; and

WHEREAS, Tax Sale Certificate 5-2007 was recorded on June 11, 2008 in the Hunterdon County Clerk's Office at Mortgage Book 3266, page 328 and subsequently assigned to Thomas McMillan on June 17, 2009 by virtue of Resolution 120-2009; and

WHEREAS, it appears that the Township mistakenly cancelled TSC 5-2007 instead of assigning it and subsequently corrected that mistake on December 1, 2014 by issuing a new TSC 5-2007 recorded on December 8, 2014 in the Hunterdon County Clerk's Office at Mortgage Book 3864, page 445; and

WHEREAS, Tax Sale Certificate #6-2007 was issued by the Township of West Amwell for delinquent taxes on Block 39, Lot 2.02 at a tax sale held on December 11, 2007; and

WHEREAS, Tax Sale Certificate 6-2007 was recorded on June 11, 2008 in the Hunterdon County Clerk's Office at Mortgage Book 3266, page 330 and subsequently assigned to Thomas McMillan on June 17, 2009 by virtue of Resolution 120-2009; and

WHEREAS, the assignment of TSC 6-2007 was memorialized in an Assignment of Tax Sale Certificate dated January 28, 2015 and recorded on March 16, 2015 in the Hunterdon County Clerk's Office at Mortgage Book 2037, page 474; and

WHEREAS, Thomas McMillan instituted a foreclosure action and received Final Judgment on July 22, 2019, recorded on August 16, 2019 in Deed Book 2476, Page 826; and

WHEREAS, Thomas McMillan by virtue of the Final Judgment is the owner of Block 39, Lots 2.02 and 2.03 and therefore Tax Sale Certificates 5-2007 and 6-2007 should be cancelled; and

WHEREAS, the Township Tax Collector's Office has no record of this Tax Sale Certificate in its files but does not dispute the information provided by Thomas McMillan in his foreclosure action.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of West Amwell, County of Hunterdon and State of New Jersey, that the Mayor and Municipal Clerk of the

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Township of West Amwell, County of Hunterdon and State of New Jersey are hereby authorized to endorse Tax Sale Certificates 5-2007 and 6-2007 for cancellation.

BE IT FURTHER RESOLVED, that the Township Tax Collector is authorized to do what is necessary to provide for the cancellation of TSC 5-2007 including but not limited to issuing a duplicate certificate at no charge for the sole purpose of canceling the certificate of record.

CERTIFICATION

This is to certify the above is a true copy of a Resolution adopted by the Township Committee of the Township of West Amwell at a meeting of said Township Committee conducted on September 15, 2021.

Maria Andrews, Township Clerk, RMC

A motion by Hoyer, seconded by Dale to approve Resolution #81-2021 was unanimously approved by roll call vote.

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

Resolution #82-2021: Setting the Location of a 3 Acre Exception Area on Block 32 Lot 7.04

RESOLUTION #82-2021

WHEREAS, the Township of West Amwell ("Township"), is the grantee in a Deed of Conservation Easement dated November 14, 2003 (hereinafter "Conservation Easement") in which George D. and Joan L. Atchley (hereinafter "Atchleys") are the grantors; and

WHEREAS, the Conservation Easement encumbers property known as Block 32, Lot 7.04 in the Township of West Amwell; and

WHEREAS, the Conservation Easement contains a three (3) acre non-severable exception area which, at the time the Conservation Easement was made, was "floating", ie. not in a fixed location.

WHEREAS, the Atcheleys sold the property on November 14, 2003, to Walnut View Farm, LLC; and

WHEREAS, during Walnut View Farm LLC's ownership, it requested that the location of the exception area be fixed to a location depicted on a map prepared by Goldenbaum Baill Associates, Inc. dated November 1, 2004; and

WHEREAS, the location was fixed by "Declaration of Amendment of Conservation Easement to Fix Location of Three (3) Acre Exception Area" dated August 2, 2005, and recorded on October 18, 2005 in the Hunterdon County Clerk's Office at Deed Book 2138, Page 329; and

WHEREAS, Walnut View Farm, LLC subsequently sold the property to the current owner, Brian I. Zecher; and

WHEREAS, the current owner wishes to change the location of the exception area and has made such a request to the Township of West Amwell; and

WHEREAS, the Township Open Space Committee has reviewed the request to change the location of the exception area and has determined 1) that the property has not been developed, 2) that the new location of the exception area does not interfere with the intents and purposes of the conservation easement and 3) the new locations is equal to or better than the current location of the exception area as it related to distance from adjoining neighbors; and

WHEREAS, the Open Space Committee has recommended that the location of the exception area be re-located as requested by the property owner and the Township Attorney has reviewed the conservation easement and confirmed that the Township is not prohibited from re-locating the exception area prior to development; and

WHEREAS, the Township has reviewed the location of the proposed three (3) acre non-severable exception 15 shown on the map dated September 14, 2021 entitled Revised Non-Severable Exception Area over Block 32, Lot 7.04 prepared Goldenbaum Baill Engineering, Inc. and finds that it is situated on the portion of the property in the far corner of the road and nearest the property and in a manner to maximize the acreage devoted to conservation, which is the stated purpose of the Conservation Easement. However, it specifically makes no finding as to whether or not the non-severable exception area has to be drawn in compliance with any and all bulk or other zoning requirements governing the development of the lot for the use intended by the property owner.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WEST AMWELL AS FOLLOWS:

1. The Township Committee of the Township of West Amwell approves the location of the three (3) acre floating, non-severable exception area as presented on the map provided by the Brian Zecher insofar as it is in keeping with the intents and purposes of the Conservation Easement governing Block 32, Lot 7.04.
2. The Deed of Conservation Easement shall be amended for a second time so as to fix the new location for the three (3) acre non-severable exception. The Amendment or amended Deed of Conservation Easement shall be placed on record in the Hunterdon County Clerk's Office.
3. The Township Committee's approval of the location does not relieve the Granter (ie. Zecher) and/or its successors, heirs and assigns from the need to comply with any and all other Township, State or Federal ordinances, laws, rules or regulations governing the development of the three (3) acre exception area for the desired purposes, including applications for any necessary variances to any applicable board. The Grantor remains subject to all the Township's zoning and land use ordinances, local and County Board of Health rules and regulations, State laws pertaining to highway access and any other applicable local, State or Federal laws.
4. The Mayor, Township Clerk and Township Attorney, as the case may be, are authorized to prepare and sign any and all necessary documentation to effectuate the amendment to the Deed of Conservation Easement as described herein
5. This Resolution shall take effect immediately.

I, Maria Andrews, Clerk of West Amwell Township, do hereby certify the above to be a true copy of a Resolution as passed by the West Amwell Township Committee at a regular meeting of the Committee held on September 15, 2021.

Maria Andrews, Township Clerk

A motion by Hoyer, seconded by Lyons to approve Resolution #82-2021 was unanimously approved by roll call vote.

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

Discussion: SHRSB Special Ballot Referendum Question – 11/2/21 School District Election

Mayor Bergenfeld expressed concern with the school board trajectory. Deputy Mayor Cally added that it is difficult to remain neutral when incoming board member Shaun Ellis is making it known he is completely against Class III Officers in the schools. He noted that the referendum presentation was not fair to West Amwell residents because there was no option to build a school up here where it wouldn't flood like the Lambertville School has. Mayor Bergenfeld commented that he has advised Superintendent Suozzo that if 49% of West Amwell residents vote against the referendum, but it still passes, West Amwell will litigate.

Planning Board Chairman Rob Tomenchok remarked that he initially supported regionalization but now regrets that he did so because Lambertville has taken over West Amwell's district. He expressed concerns over the lack of regular maintenance on structures and clarified that ADA compliance is not an issue as long as the original structures are not altered when renovating.

Mayor Bergenfeld suggested the Committee articulate an official statement regarding the referendum and get it distributed within the next 3 to 4 weeks.

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There was some discussion on de-regionalization with Committeeman Hoyer agreeing to work with the Finance Committee to determine what it would cost the taxpayers to do so.

Discussion: Availability and Use of NJDEP/Treasury Debris Management Contracts

It was noted for the record that this item was not discussed. The Committee simply acknowledged receipt of the information.

Discussion: Bridge in the Hills of Hunterdon Development

Mayor Bergenfeld commented on the recent damage throughout the Township from Hurricane Ida and expressed concern over the potential cost of repairing or replacing the bridge in the Hills of Hunterdon development. He asked Attorney Campbell about a special assessment noting it's only a matter of time before the bridge will need some type of maintenance. Attorney Campbell stated she will look into the matter and get back to the Committee.

Chief Ent spoke up from the public and suggested including the underground water storage tanks as well, noting there are two 30,000 gallon tanks and one 20,000 gallon tank in the Township. Open Space Chairman John Cronic suggested reviewing a special assessment to maintain the detention basins within the Music Mountain development.

OPEN TO THE PUBLIC

Mayor Bergenfeld opened the floor to public comment. Betty Jane Hunt came forward on behalf of the Historic Preservation Committee and asked about a donation bin for Fisherman's Mark at the 175th Anniversary Celebration. Ms. Brewi spoke up from the public noting students from the 6th Grade class will be taking donations for lemonade, popcorn and cotton candy to help pay for their class trip and she cautioned the Committee about allowing too many donation jars. Ms. Hunt also commented on the proposed referendum saying the school should concentrate on giving the kids an education.

Seeing no other members of the public come forward, a motion was made by Cally and seconded by Dale to close the floor to public comment. The motion was unanimously approved by voice vote.

ADMINISTRATIVE

A motion by Bergenfeld, seconded by Lyons to approve the vouchers for payment as listed on the 9/15/21 bill list was unanimously approved by roll call vote.

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

OTHER

Resolution #80-2021: Closed Session – Personnel/Contracts – Litigation/Affordable Housing

Resolution #80-2021

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

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A motion by Hoyer, seconded by Cally to approve Resolution #80-2021 and enter into Closed Session was unanimously approved by voice vote.

A motion by Hoyer, 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 9:05 PM – 11:00 PM.

CORRESPONDENCE

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

ADJOURNMENT

A motion by Dale, seconded by Hoyer to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 11:05 PM.

Maria Andrews, Township Clerk, RMC

Approved: 10/6/21