

**WEST AMWELL TOWNSHIP COMMITTEE MEETING**  
**August 4, 2010**

**CALL TO ORDER AND STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

The regular meeting of the West Amwell Township Committee was called to order at 7:00 p.m. Present were Mayor Molnar, Deputy Mayor Frank P. Masterson III, Committeeman George Fisher and Attorney Philip J. Faherty III. Also in attendance were Paul Cronce, Betty Jane Hunt, Sean Pfeiffer, Hal Shute, Gail Burgess, Ed & Shirley Skillman, Tom King, Cathy Urbanski, Pat Stiefel, and son, John Cronce and Howard Hope

Mayor Molnar announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was included in the Resolution faxed to the Lambertville Beacon, Hunterdon County Democrat and Trenton Times on January 1, 2010, was posted on the bulletin board in the Municipal Building on said 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 Municipal Clerk.

The meeting was recorded via digital recording system and a copy of the CD is on file in the Office of the Municipal Clerk.

**PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

Gail Burgess led the assembled group in the pledge to the nation's flag.

**AGENDA REVIEW BY TOWNSHIP CLERK**

The following items were added: 9. Unfinished Business: League Request for Action/Toolkit; 10. New Business: Assemblywoman Spencer Bike Ride; Fire House Roof.

**ANNOUNCEMENTS**

The following announcements were made:

- Grace Period for 3<sup>rd</sup> Quarter Taxes Ends August 25, 2010
- Computer & Electronics Collection, County Complex Rt 12, October 9<sup>th</sup>, 9 a.m.-1 p.m.
- Hazardous Waste Collection, County Complex Rt 12, November 13<sup>th</sup>, 9 a.m.-1 p.m.
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

**PRESENTATION OF MINUTES**

The July 7, 2010 Regular and Closed Session minutes were approved on motion from Fisher, seconded by Masterson. Roll Call: Fisher-aye, Masterson-aye, Molnar-abstain.

A minor correction was noted on the July 21, 2010 Special minutes. The minutes were unanimously approved as amended on motion by Fisher, seconded by Masterson.

**OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA**

Tom King of 330 Mt. Airy-Harb. Road and a 45 year resident of the Township requested help with his taxes and questioned what the Committee is or planning to do for seniors. He stated that he lives on a fixed income; that selling his house is impossible; that his current Open Space tax of \$400 is equal to his total 1960 property tax; and, that the school takes 60% with no good results. In his business, he can't spend more than he takes in nor can he raise taxes. He would like to see more concessions and noted that the Committee was elected to serve the residents with fairness and justice. Mr. King spoke at length about the school taxes and lack of control over them; the number of superintendents and other administrative personnel; and, the need to fix teacher tenure. Mr. Fisher suggested that Mr. King go to school board meetings as the Township just collects the taxes as pass-through revenue. Going the legislative route was also mentioned. Mr. Molnar agreed with the point about the number of superintendents, noting that there is now a super-superintendent which is but another layer of bureaucracy. As for increasing taxes, it was suggested that Mr. King look into the senior citizen tax freeze.

Mr. King also addressed the police situation by relaying that the Township had State Police early on but that Mr. Hawley created the police department. It now costs between \$700,000-800,000/year; inquired about the cost per resident; what would prevent a return to the State Police; and, the cost thereof. He advocated for a return to the State Police, especially in light of impending retirements. Mr. Masterson advised that the State Police are not required to furnish a community with police coverage and it would cost more than the current force.

Ed Skillman of Route 179 inquired about outsourcing the mowing of open space and whether the Township Committee receives a monthly DPW report of activities. He noted that there was a sign leaning over for 4 months before it was fixed; that there are issues along Old York

Road where no action has been taken; and, that he see potholes when he's out and about. Mr. Skillman also expressed concern that the police are unfairly treated in the tax situation in that there is a lot activity, criminal-wise, in the Township. Mr. Molnar relayed that he gets verbal reports only and offered that there has not been money to do much of anything on the roads. Mr. Fisher commented on the issue of a DPW report and that a daily per-person log of activity should not be difficult to obtain. As for items needing to be fixed or missed, these should be called in to Township Hall.

Paul Cronic of Route 179 stated that the Open Space tax 'bugs' him. He's read that it won't be reduced because we can't afford to but...there's \$2 million in the kitty. Perhaps the taxpayers could decide through referendum. He also inquired about the status of the Fulper lawsuit and the gear requested for the Fire Company. Mr. Fisher explained that numbers were run for a 3 cent through 6 cent reduction but the fact remains that the Open Space debt is larger than the 6 cents currently collected. Concerning the Fulper matter, Mr. Fisher could only relay that things are getting closer and that there is a deadline to be met. As for the potential of purchasing Fire Company gear as a capital expense, it was determined ineligible.

Howard Hope of Hewitt Road requested that Township Committee do something about getting the trucks off the road.

### **INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING AND/OR SPECIAL PRESENTATION**

**Tom Stover** – Mr. Molnar explained that the Township has a house from the salt litigation in its possession and the levels are going up, probably because the house is not occupied. The lot is around  $\frac{3}{4}$  of an acre. Estimates for remediation run \$50,000-\$60,000 and that Mr. Stover has been requested to speak about possible options.

Mr. Stover stated that there's no magic wand and that the 'pump and dump' method is what is used. He reviewed the situation with the three houses—two of which have been remediated with a reverse osmosis system. His take on the situation is that the former Perrine house was the culprit in 1970 due to the shallow well which was invaded by salt and noted that a second well was drilled. With the latest salt problem, the Township hired an engineer and consultants when, in his opinion, the houses should have been purchased outright as lots of money has been spent on consultants. Mr. Stover continued that he sat with Mr. Perrine and got the 1970 story where the Township drilled a 300-400' well and the water was good. As for the original, it's still open/was never sealed and is where the contamination came in with the hydro fraction of another well in the area. He acknowledged that to pump the plume is an expensive ordeal but will clean up the problem over time. However, what is pumped from the well cannot be dumped on the ground as it will just re-circulate. Mr. Stover inquired whether research has been done on how the State of New York has dealt with this particular problem and noted that New Jersey says to 'pave over.' He suggested that the old well be checked as the salt may now be deeper; that the pump be pulled to investigate the water quality (less than \$1000 without testing); and, that it probably would have been better originally if that well had been closed. Mr. Stover also questioned the current haul rate from the houses with RO systems and pertinent information was shared.

A brief exchange with Mr. King concerning the ability of the soil to filter out the salt or perhaps installing a type of neutralizer on the well was met with the explanation that nothing eats salt; that only an RO removes it; and, that pumping flushes by dilution.

Appreciation was extended to Mr. Stover for his attendance and imparted information.

### **Introduction:** Ordinance 10, 2010

The following ordinance was read by title and introduced on first reading:

**AN ORDINANCE TO PROVIDE FOR THE PURCHASE AND INSTALLATION OF OVERHEAD DOORS AT THE TOWNSHIP GARAGE FOR AND BY THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY AND APPROPRIATING \$15,000.00 FROM THE CAPITAL IMPROVEMENT FUND**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON, NEW JERSEY, as follows:**

Section 1-The improvements described in Section 2 of this ordinance is hereby authorized as general improvements to be made or acquired by the Township of West Amwell, New Jersey. For the said improvements or purposes described in Section 2 there is hereby appropriated the sum of \$15,000.00, said sum being inclusive of all appropriations heretofore made therefor.

Section 2-The Township of West Amwell is hereby authorized to provide funding for the purchase and installation of overhead doors at the Township garage.

Section 3-It is hereby determined and stated that the undertaking of the aforesaid work, acquisition or improvement is not a current expense of the Township of West Amwell, but rather a capital expense and estimated cost of said work, acquisition or improvement of said purpose is \$15,000.00

Section 4-The sum of \$15,000.00 is therefore appropriated for said purpose. The funding is provided by appropriating \$15,000.00 from the Capital Improvement Fund for said purpose as required by law and now available in one or more previously adopted budgets of the Township of West Amwell.

Section 5-There is no debt authorized for this improvement or purpose.

Section 6-This ordinance shall take effect immediately upon adoption according to law.

Fisher moved to introduce the Ordinance on first reading and Masterson seconded. Motion carried unanimously. The public hearing will be held September 1<sup>st</sup>.

### **SPECIAL AND/OR STANDING COMMITTEE REPORTS**

#### **Open Space**

- *Award of Bid for Toll Clean-up:* Sean Pfeiffer relayed that John Cronce, as project manager, has some concerns to be discussed in Closed Session prior to any award.

- *Application for 2010 County Open Space Trust Fund Distribution & Municipal Allocations:* The application has yet to be completed but will be ready for the September 1<sup>st</sup> meeting. There is no deadline for filing the application, which was confirmed with Kevin Richardson via phone today. As the money used is applied to the debt, the application must be for a new project. This year's project is Toll and it only closed with the County in May. The application could not be started until the project was completed and the check received.

- *Project Status Updates:* 1) The SADC approved the demolition project on Toll South and a letter has been received. 2) There may need to be an ordinance to authorize the sale of the former Toll property, similar to what was done for Atchley, but Attorney Dragan has indicated that State statutes say this can be done by resolution and will check further. 3) The environmental consultant, upon re-inspection, had some issues with the Kilmer clean-up which will be addressed prior to closing. Once this is completed, the baseline report will be prepared. 4) The Stiefle farm, a Green Acres preservation property, is currently on the market. There's a stipulation in the deed that the Township has the right of first refusal for purchase. The consensus of the Township Committee was that there was no interest in purchasing the property.

#### **RESOLUTION #107-2010**

BE IT RESOLVED that the West Amwell Township Committee is not exercising its right of first refusal on Block 23 Lot 25.

The Resolution was unanimously approved on motion by Fisher, seconded by Masterson.

The August 3, 2010 letter from the SADC concerning the cleanup and sale of the Toll property was questioned by Mr. Fisher, specifically the per acre price. The letter noted that the 'after' value for the farm was certified at \$8,800/acre. If the Township sells the farm for less than that price, the Township should be prepared to submit updated appraisals from the original appraisers to justify a lower selling price. Mr. Pfeiffer explained that the value was \$17,000/acre but was purchased at \$11,500+ and that there's a substantial difference between the two appraisals on easement value and, therefore, after value. This was discussed with Dan Knox recently who feels the Township should get the appraisals updated in preparation for the auction to get the correct after number based on current market conditions. The cost of the appraisals would be reimbursable from the proceeds of sale. As the State kicked in 55% of the purchase price, they have the right of first refusal and are saying that if the average of the two values are taken, and the property sells for more than that, there will be no questions. However, if the property is sold for less, the SADC will want to see updated documentation to justify the number.

#### **Environmental**

- *Authorization to Post May 13, 2010 Minutes on Website:* Approved for posting.

- *Report on Stream Corridor Ordinance Interpretation:* Cathy Urbanski relayed that she spoke with John Hoff, John Cronce, and Stu Palilonis about the problem that was the subject of

an earlier e-mail. Only a minor change will be needed and will be discussed with the Environmental Commission. The matter will be on the Planning Board agenda but she doesn't see this as any big deal.

Mrs. Urbanski also mentioned the issue of the website and having the high school involved in a re-do that was mentioned at an earlier meeting. She has reconsidered and offered that perhaps a re-design could be an Eagle Scout project. The webmaster needs to be consulted first and Mrs. Urbanski re-iterated that this would be design only...not administration.

#### **Farm Market**

As there is no farm market, Mr. Molnar inquired whether or not the farm market committee is still needed. As the committee is just 'taking a break' this year, no action was taken.

#### **UNFINISHED BUSINESS**

**2009 Audit** – Proof of Publication in the July 25<sup>th</sup> edition of the Hunterdon County Democrat was presented. Mayor Molnar noted that this was a clean audit. The only item mentioned was that the ACO can no longer have dog license checks mailed to her house. These will now come directly into the Township in order to meet the 48 hour deposit requirement.

#### **RESOLUTION #108-2010**

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

WHEREAS, the Annual Report of Audit for the year 2009 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

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

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

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

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

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

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

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

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

Motion by Fisher to approve the Resolution, seconded by Masterson, and carried unanimously.

*The following affidavit was presented for signature.*

STATE OF NEW JERSEY  
COUNTY OF HUNTERDON

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

- 1. We are duly elected members of the Township Committee of the Township of West Amwell in the county of Hunterdon;
- 2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2009);
- 3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled “Comments and Recommendations.”

(L.S.) <i>Thomas J. Molnar</i>	(L.S.)
(L.S.) <i>Francis P. Masterson III</i>	(L.S.)
(L.S.) <i>George A. Fisher</i>	(L.S.)
(L.S.)	(L.S.)
(L.S.)	(L.S.)

**Possible Continuation of 2010 Appointments** – Mr. Molnar noted that there were three people interested in the open slot on the Ag Advisory committee. Although this was a tough decision, Betty Jane Hunt was appointed to fill the seat vacated by Gary Bleacher. Mr. Molnar stated that his reason for this particular choice was expansion of agriculture. Mrs. Hunt is active in the FFA and 4H and the idea is to bring these elements in. No objections were lodged to the appointment.

**Gary W. Bleacher Resolution** – The following resolution was read into the record by the mayor.

RESOLUTION #109-2010

WHEREAS, on June 15, 2010, Gary W. Bleacher passed from life on this earth as part of the sovereign plan of our Almighty God; and

WHEREAS, Gary W. Bleacher faithfully served West Amwell Township for twenty-five years, including nine years on the West Amwell Township Committee from 1999 through 2007 and as mayor in 2001 and 2004; and

WHEREAS, Gary W. Bleacher also faithfully served West Amwell Township in various other capacities throughout the years as a member of the Board of the Adjustment, the Planning Board, the Board of Health, and Open Space and Ag Advisory committees

WHEREAS, he was instrumental in working with the Connaught Hill families in the clean-up of that section of the Township; and

WHEREAS, he was a strong supporter of agriculture through his workplace and in the township; and

WHEREAS, he served in a caring, honest, and common-sense manner which also exemplified the kind of person he was; and

WHEREAS, he was the eternal optimist and gentleman in all situations; and

WHEREAS, he championed the rights of property owners and the free speech of others, often stating that as 'this is America'

NOW, THEREFORE BE IT RESOLVED by the Township Committee, acting on behalf of the residents of West Amwell, that Gary be recognized as having served his community in a dedicated, honest and unselfish manner as an individual and public servant; and

BE IT FURTHER RESOLVED, that our appreciation for his influence as an individual and public servant be extended to his family and may we all endeavor to be citizens showing Gary's character and dedication so that West Amwell may continue to be the kind of community he could be proud to say was his home on earth; and

BE IT FURTHER RESOLVED, that this Resolution be spread in full in the minutes of the August 4, 2010 meeting of the Township Committee; and

BE IT FINALLY RESOLVED, that a copy of this Resolution be signed by the Township Committee and presented to the Bleacher family in recognition and appreciation of the many hours he devoted to the well-being of the residents of West Amwell Township.

\_\_\_\_\_*Thomas J. Molnar*\_\_\_\_\_  
Thomas J. Molnar, Mayor

\_\_\_\_\_*Francis P. Masterson, III*\_\_\_\_\_  
Francis P. Masterson, III, Committeeman

\_\_\_\_\_*George A. Fisher*\_\_\_\_\_  
George A. Fisher, Committeeman

The Resolution was unanimously approved on motion by Fisher, seconded by Masterson.

**Resolution to Dissolve Police Study** – Mr. Molnar acknowledged the work of the police task force—George Fisher, Kevin Keveloski, Hal Shute, and Rob Tomenchok—and noted that they had had numerous meetings with Lambertville. However, after analyzing the Blue Shield study, it was determined that there was no substantial savings to the Township. The direction is not to merge. Mr. Fisher added that with four members of the force retiring within the next several months, any savings in a combined force was out of the Township's hide. He believes that by staying independent, money will be saved. He, too, noted that the task force had met numerous times but that no action plan was actually reduced to paper but certain items were fleshed out. It's still an option but there are other options to be explored. This sentiment was echoed by the mayor. Mr. Fisher also noted that he, and Zach Rich, spoke with Mayor DelVecchio earlier in the week about shared service opportunities. Police was last on the list, due to the hard sell, but there are other options to investigate. Mr. Molnar offered in response to a question from the floor that the use of State Police is 'on call' only as they do not patrol. He also stated that Mr. Corboy and Mr. Masterson went to Kingwood barracks previously and were told that if the Township did not have a police department, things would be different. Obviously the Township is penalized for having its own force but the ongoing cost runs over \$700,000/year. The police department is also experiencing vehicle problems.

Mr. King inquired as to what other avenues are being explored; commented that the State Police won't talk with him; asked if anyone has approached them to find out what would be required; and, noted that other than the school, the police department is a big ticket item. Mr. Stover offered that East Amwell hired Raritan Township but also have the State Police, although the latter does not patrol.

The mayor read the following into the record.

#### RESOLUTION #110-2010

WHEREAS, a Feasibility Study to analyze a possible shared service opportunity for police was conducted for the City of Lambertville, the Township of West Amwell and the Township of East Amwel by Blue Shield Consulting; and,

WHEREAS, the final draft was submitted to the respective municipalities on September 22, 2009; and

WHEREAS, a West Amwell-Lambertville combined police work group was formed in 2010 with an interim report received July 26, 2010; and

WHEREAS, the West Amwell work group concluded that the creation of a combined West Amwell-Lambertville police force would provided little budget relief and could result in a reduction of control due to the governance issue

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the governing body has determined that a shared or merged police department with the City of Lambertville is not appropriate and they do not wish to pursue this matter any further.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be sent the City of Lambertville and the Township of East Amwell.

The Resolution was unanimously approved on motion by Fisher, seconded by Masterson.

**Resolution to Sell Water Buffalos** – Held, as although age has been determined, information on initial purchase price is still being researched. A brief discussion ensued about other possible uses for the containers. Mr. King questioned whether there's a solution to the problem or if the Township just keeps going. As there is DEP monitoring, Mr. Fisher noted that the Township is obligated to continue with certain aspects.

**Block 19 Lot 7.03 – Burgess** – Attorney Faherty relayed that he has reviewed the application provided by Alex Mikos of Goldenbaum-Baill. There's a problem with the lot and a waiver or modification of the conservation easement is needed. The Township Committee had previously agreed to cooperate and the next step is to send the application to DEP as only the Township can do so. The work has been completed by Goldenbaum-Baill and expenses borne by the applicant. A three page letter to Green Acres has been prepared and they will decide whether this is a major or minor project. After that, there will be numerous forms to be completed. The process is expected to take approximately 9 months. Attorney Faherty will prepare a letter to be sent to DEP and the mayor was authorized to sign same on motion by Fisher, seconded by Masterson and carried unanimously.

Gail Burgess relayed that permits and the LOI were applied for well over 5 years ago and she's running out of time. This particular process started in March and she thought it would have been accomplished two months ago. She was assured that the process will move forward.

**Shared Services Update** – Mr. Fisher relayed that he and Zach Rich met with Mayor Del Vecchio and Ward Sanders of Lambertville earlier in the week in response to an e-mail from the City Clerk. Topics discussed included Assessor, Building and Police. On the latter, he gave no commitment. There's a follow-up meeting scheduled for August 12 and will include Tom Efstathiou of the County Tax Board. On the Construction Office front, this will wait until closer to the end of the year to see if there's enough activity and noted that any change would have to benefit the Township.

**Continued Discussion Concerning Garbage Truck** – Mr. Molnar reported that Lambertville received their new, 'used' truck and that he had an opportunity to speak with the salesman. There's another similar vehicle which is currently undergoing a smoke test and federal inspection, according to Paul Cronce, and should be ready next week for viewing. The truck he recently received has 120,000 miles, is a diesel and has a 30 day guarantee on the box. Both vehicles are from the south where there's been no salt exposure. Mr. Molnar commented that the price is in the \$50,000 range but noted that a Plan B would be needed in case of a breakdown. It was suggested that perhaps something could be worked out with the current hauler or contract for dumpster/container service with another private hauler. Although there are some rough numbers for overall cost, there's currently nothing on paper as to a plan but the latest count of garbage permits sold is 389. Better numbers are needed for the average weekly tonnage, although 7 to 8 tons per week, or 30,000 tons/year would be a conservative estimate. As for a question about eliminating the permit fee, Mr. Molnar stated that it is unlikely that it will go away next year.

**Resolution to Enter Closed Session** –

#### RESOLUTION #111-2010

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:  
PROTECTING THE SAFETY & PROPERTY OF THE PUBLIC  
PURCHASE, LEASE OR ACQUISITION OF REAL PROPERTY
3. It is anticipated at this time that the above stated subject matter will be made public when the matter has been resolved.
4. This Resolution shall take effect immediately.

The Resolution was unanimously approved on motion by Fisher, seconded by Masterson.

**League Request/Toolkit** – The League as provided sample template letters for sending to our State senator as well as the Senate Budget Committee members asking their support for various pieces of legislation, the toolkit and additional reforms. The consensus of the Committee was to respond as requested and the mayor was authorized to sign the letters.

#### **NEW BUSINESS**

**Amended Bordering Road Maintenance Agreement with East Amwell Township** – A clarification to the existing agreement has been deemed necessary. It concerns which municipality issues a driveway permit.

The mayor was unanimously authorized to sign the amended agreement.

#### **Award of M & R Quotes** –

##### RESOLUTION #112-2010

WHEREAS, the Township of West Amwell is in need of Road Maintenance and Repair materials; and

WHEREAS, quotes were solicited by the Road Supervisor as follows:

Description	Quantity	Trap Rock	Flemington Bituminous
#1 1" Blend	1100 tons	\$ 8.00	no bid
#2 I-5 Blacktop	100 tons	\$55.90*	\$54.22*
*(subject to price fluctuation)			

WHEREAS, the quote totals received are under the bid threshold; and

WHEREAS, Trap Rock Industries quote for 1" Blend in the amount of \$8,800.00 and Flemington Bituminous' quote for I-5 Blacktop in the amount of \$5,422.00 represents the lowest overall cost to the Township; and

WHEREAS, Trap Rock Industries and Flemington Bituminous have submitted the required Business Registration Certificate

THEREFORE, BE IT RESOLVED, that the supply of 2010-11 Road Maintenance and Repair material listed in #1 above be awarded to Trap Rock Industries in a amount not to exceed \$8,800.00 and those listed in #2 above be awarded to Flemington Bituminous in an amount not to exceed \$5,422.00 at the unit price quote for pick up at the respective local locations.

The Resolution was unanimously approved on motion by Fisher, seconded by Masterson.

A brief discussion ensued over the award in that the cheapest is not always so when distance is involved and the bid vs quote approach as to low bidder. This will be verified with the CFO.

**State Gypsy Moth Survey Participation** – The Dept. of Ag has detected gypsy moth defoliation in the Township. The department has developed an integrated pest management



system which utilizes aerial sprays with the biological insecticide, *Bacillus thuringiensis*, when residential and recreational forests are threatened with heavy defoliation. If it is determined from egg mass surveys that aerial treatment is needed, the Department will develop spray contracts, supervise spray operations and apply for federal cost-sharing funds. The Department is inquiring as to whether the Township would like them to conduct a gypsy moth egg mass survey. There is no charge for the inspections but three copies of the municipal map are required. To participate, the request form must be submitted by August 20<sup>th</sup>. The consensus of the Committee was to make application for this survey.

**Municipal Alliance Renewal Application 2011** – This will establish West Amwell has the lead agency for the coming year.

**RESOLUTION #113-2010**

**WHEREAS**, The Township Committee of the Township of West Amwell, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

**WHEREAS**, the Township of West Amwell Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Township of West Amwell Committee supports the application of funding from Governor's Council on Alcoholism and Drug Abuse through the County of Hunterdon;

**NOW, THEREFORE, BE IT RESOLVED** by the Township of West Amwell, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby support the submission of an application for the South Hunterdon Municipal Alliance grant for calendar year 2011 in the amount of \$14,700.00.
2. As Lead Municipality for the South Hunterdon Cluster, the Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the reporting of programs within its cluster area.

The Resolution was unanimously approved on motion by Fisher, seconded by Masterson and the mayor executed the document for submission.

**Possible 2011 Road Projects for Application to NJDOT** – Township Engineer Clerico has advised that NJDOT road project applications are due August 13<sup>th</sup> and inquired if the Committee has a particular project in mind. He is aware of the past problems with financing the municipal portion for non-reimbursable items. The segment of Old York Road behind Buddies was mentioned as a good candidate. Road Supervisor Hoagland will be consulted. Another suggestion was for George Washington Road. Mr. Skillman commented that he's never seen any DRJTBC money in the Township for road improvement and suggested that a road tour be undertaken for other possibilities. He was advised that the DRJTBC has funded three sections of Rocktown-Lamb. Road and that a Rocktown Hill drainage project is currently in the loop. Betty Jane Hunt offered that Old York Road would be a good candidate for Bridge Commission funding as it hooks into Route 179. It was also noted that this road caves in near Buddies and is marked with caution tape due to a gas leak in the past. The overall consensus is to apply for Old York Road funding from the NJDOT/Transportation Trust Fund.

**TOWNSHIP OF WEST AMWELL  
RESOLUTION #113A-2010**

**RESOLUTION:** Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Old York Road Improvement Project Section 1.

**WHEREAS**, Old York Road Section 1 is in need of Improvement

WHEREAS, Robert J. Clerico, P.E., Township of West Amwell Engineer, has prepared a cost estimate for improvements to this road.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of West Amwell formally approved the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-West Amwell Township-00669 to the New Jersey Department of Transportation on behalf of Township of West Amwell.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of West Amwell and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

The Resolution was unanimously approved on motion by Fisher, seconded by Masterson.

TOWNSHIP OF WEST AMWELL  
RESOLUTION #113B-2010

RESOLUTION: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Old York Road Improvement Project Section 2.

WHEREAS, Old York Road Section 2 is in need of Improvement

WHEREAS, Robert J. Clerico, P.E., Township of West Amwell Engineer, has prepared a cost estimate for improvements to this road.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of West Amwell formally approved the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-West Amwell Township-00670 to the New Jersey Department of Transportation on behalf of Township of West Amwell.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of West Amwell and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

The Resolution was unanimously approved on motion by Fisher, seconded by Masterson.

**Assemblywoman Spencer re: Bike Ride** – A letter was received from Assemblywoman L. Grace Spencer concerning an August 8<sup>th</sup> ride by the Major Taylor Cycling Club of New Jersey. The club rides to bring attention to cycling safety and to honor those cyclists who have been injured or have died while riding and, in addition, to raise awareness for autism. The assemblywoman also expressed appreciation to the mayor for supporting their ride last year to New Hope and is requesting police department assistance with escorting and/or monitoring traffic. There was no recollection by the Township Committee or the Clerk of such a ride last year but a copy will be provided to Lt. Bartzak.

**Fire House Roof** – Mr. Molnar announced that he has received word from Zach Rich that Strober-Wright will be donating a new roof for this facility. Attorney Faherty conveyed there is no problem with such a donation; however, a Certification of Insurance will be requested.

**OPEN TO THE PUBLIC**

Howard Hope came forward about what to do with his 5' fence that can only be 4' per zoning. This structure was hiding his woodpile but had to be taken down. The mayor agreed that the fence looked great but the Township Committee cannot authorize a 5' fence. It was suggested that Mr. Hope speak with the Zoning Officer and work with him.

On another matter, Mr. Molnar commented that he has observed ten-wheelers on Hewitt Road as previously report by Mr. Hope. This is a nuisance and an ordinance to erect a sign is needed. This has become an ongoing issue and Mr. Hope was assured that it is not dead yet.

*The Township Committee entered their previously approved Closed Session at 9:10 p.m., returning to Open Session at 10:00 p.m.*

## **ADMINISTRATIVE REPORTS**

### **Tax Collector –**

- Refund Resolution for Block 28 Lot 1.09:

#### **RESOLUTION #114-2010**

County of Hunterdon}  
State of New Jersey }

WHEREAS, a duplicate payment was made on Block 28 Lot 1.09, by both Mortgage companies when the property owner refinanced. The overpayment total: \$4,353.84.  
This amount should be refunded to the property owners: David & Dorothy Wofffindin.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Committee of the Township of West Amwell, County of Hunterdon, State of New Jersey to instruct the Treasurer to issue a check in the amount of \$ 4,353.84 for the refund of the amount overpaid on Block 28 Lot 1.09.

Make check payable to: David & Dorothy Wofffindin  
Mail with a copy of this resolution to: Mr. & Mrs. David Wofffindin  
211 Goat Hill Rd  
Lambertville NJ 08530

The Resolution was unanimously approved on motion by Fisher, seconded by Masterson

The monthly report for June 2010 was received showing receipts in the amount of \$186,064.25.

### **Treasurer –**

#### **RESOLUTION # 115-2010**

WHEREAS, it has been determined by the Planning Board of West Amwell Township that the following applicant's escrow fees are in excess of what was needed to cover their charges, and

WHEREAS, the Planning Board has approved a refund of the following amount;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell that the Treasurer is hereby authorized to refund the following amount to the applicants:

Applicant	Amount Refunded
Wayne Boan	\$37.88

The Resolution was unanimously approved on motion by Fisher, seconded by Masterson

#### **RESOLUTION #116-2010**

WHEREAS, it has been determined by the Board of Health of West Amwell Township that the following applicant's soil test witness fee is in excess of what was needed to cover their charges, and

WHEREAS, the Board of Health has approved a refund of the following amount;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell that the Treasurer is hereby authorized to refund the following amount to the applicants:

Applicant	Amount Refunded
William and Cynthia Lovett	\$300.00

The Resolution was unanimously approved on motion by Fisher, seconded by Masterson.

RESOLUTION #117-2010  
FORM OF RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE  
AND APPROPRIATION – NJS 40A:4-87

Township of West Amwell  
Hunterdon County, New Jersey  
Certified to Director of the Division of Local Government Services

WHEREAS, NJS 40A:40-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget or any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of West Amwell in the County of Hunterdon, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$201.09, which is now available from Drunk Driving Enforcement Fund (P.L. 1984 Ch4) in the amount of \$201.09.

BE IT FURTHER RESOLVED that the like sum of \$201.09 is hereby appropriated under the caption Drunk Driving Enforcement Fund (P.L. 1984, Ch4); and

BE IT FURTHER RESOLVED that the above is a result of funds from the County of Hunterdon Sobriety Checkpoint-DWI Grant in the amount of \$201.09.

The Resolution was unanimously approved on motion by Fisher, seconded by Masterson

Presentation of Bills for Approval: The JCP&L bill for the Firehouse at \$2000 received comment and it was noted that the electricity for this building typically runs high. Mr. Molnar mentioned the \$1900 bill for head gaskets for the Durango as only one side was done. He requested that this type of repair be checked with him first. Also noted was that the DPW is supposedly doing the routine maintenance but that not all routine things are being brought to that facility. The mayor will speak with the Police Department. Mr. Molnar also relayed that he's been donating surplus equipment to the DPW. Fisher motioned to approve the evening's bills for payment, seconded by Masterson, and carried unanimously.

Treasurer Report, Statement of Cash, Revenue, and Receipts and Disbursements: Appropriations through July 30, 2010 were provided and reviewed. As of this date there is a cash total of \$3,520,467.40 between the operating and capital accounts. Revenue report for July 2010: Receipts for the month were \$557,725. Receipts for the 2<sup>nd</sup> quarter were \$6,519,844.23 with disbursements of \$7,488,612.16 and a remaining balance of \$5,117,811.90.

**Construction** – The June 2010 Permit Fee Log details, Monthly Activity Report-Permits (19), Payment Audit Report, Monthly Activity Report-Certificates (6), Certificate Log Detail were received for PermitsNJ. The deposits for the month were \$7,585.00/Construction; \$330.00/Zoning.

**Police** – The June 2010 Monthly Report showing 211 incidents, 115 summonses and 0 warnings was received, together with officer arrest statistics.

**Zoning Officer Report** -- The July 2010 report of activities was received. Numerous phone calls, interpretations, office meetings and e-mail correspondence were noted. Four permits were issued.

Motion by Fisher, seconded by Masterson to accept the Construction, Court, Zoning and Police reports, and carried unanimously.

**CORRESPONDENCE**

The correspondence as listed on the Agenda was ordered filed.

**ADJOURNMENT**

A request for a special meeting for August 16<sup>th</sup> at 9:00 a.m. was made by Mr.Fisher. Topics to include garbage and trash, Toll demolition work and police.

There being no further business, the meeting was unanimously adjourned at 10:20 p.m. on motion from Fisher, seconded by Masterson.

Respectfully submitted,

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Lora Olsen, RMC  
Township Clerk