

WEST AMWELL TOWNSHIP COMMITTEE MEETING
December 1, 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 7:18 p.m. Present were Mayor Molnar, Deputy Mayor Frank P. Masterson III, Committeeman George Fisher, Committeeman-elect Zach Rich and Attorney Philip J. Faherty III. Also in attendance were Harry Heller, Sean Pfeiffer, Cathy Urbanski, Hal Shut, Vince Ranieri, Howard Hope, Terence Rice, Randy McDaniels and reporter Renee Kiriluk-Hill.

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

Harry Heller led the assembled group in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

ANNOUNCEMENTS

The following announcements were made:

- Public Information Center on Rt 31 Resurfacing Project, Dec 2nd, 4-7 p.m., East Amwell Township Municipal Building
- Municipal Offices Closed December 24th – December 27th for Christmas
- Last Regular Twp Committee Meeting for 2010 – December 29th
- Township Committee Re-organization Meeting – January 1st, time TBD
- Municipal Offices Closed January 3, 2011 in Lieu of New Year's Day
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The minutes of the November 3, 2010 Regular and Closed Session and the November 10, 2010 Special and Closed Session meetings were approved on motion from Fisher, seconded by Masterson, and carried unanimously.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

Terence Rice of 11 Williamson Lane spoke at length on his observations on the recent Zoning Board meeting and requested that the Township Committee assist in addressing the concerns. His purpose in attending the referenced meeting was to listen and gather information in order to form an opinion about the proposed solar generation facility. Although a strong proponent for the development of alternative energy sources and that West Amwell might provide a suitable location for some of these capabilities, making such a decision would require a significant understanding of the potential long-term benefits and costs associated with such an initiative. Although some information was gained about what was being proposed, specifically size and scope, not enough was relayed in order to form a final opinion on the solar proposal. Mr. Rice stated that he was quite disappointed to see the process being used to vet the decision and specifically mentioned the following observations: 1) confusion over scheduling and choice of dates didn't ensure participation by people potentially affected; 2) the room could not accommodate the number of people and there was no attempt to move to an alternate location that would have ensured that all interested people could attend; 3) very little information was presented at the beginning of the meeting concerning the sequence of events, except for an announcement that the session would end at 10:30 sharp, and that no indication was made as to whether this would be the one and only session or if all parties would be given an opportunity to be heard; 4) with the tight timeline and full agenda, the Board spent over 15 minutes reviewing previous session minutes that were eventually deemed void; 5) the tone and unprofessionalism exhibited by members of the Board towards residents posing questions was most disconcerting. It's this last item that brought him out tonight and has him wondering if the Zoning Board is the right entity to resolve the issue at hand. Mr. Rice also questioned whether the use of the variance process was the right approach as there are many long-term issues that

need to be considered such as whether receipts from a solar facility will offset any decrease in the tax base; if the town will benefit directly from the installation; or, if the state grid would be the primarily beneficiary. He was also concerned about setting a possible precedence as other entities could push for the same treatment or bring litigation, which the township cannot afford. Also mentioned was the potential environmental impact due to the proximity of the Alexauken Creek. Due to these concerns, Mr. Rice was of the opinion that these types of issues are best decided in a well-established plan, otherwise a hodgepodge of facilities could spring up through the Township. He would rather see the implementation of a measured and well thought out plan that allows for substantial public and private input to ensure that the decision is one that reflects the sentiments of the Township as well as possibly enabling the Township to raise revenue to offset some of the property taxes through the development of alternative energy facilities. Basically, the process being used by the Zoning Board is flawed and that the jurisdiction really rests with the Planning Board. Mr. Rice requested that the Township Committee look at the matter and, if possible, move the decision on solar to the Planning Board. If this cannot be accomplished, then the procedural issues need to be corrected. This could start with rescheduling the December 28th meeting to another date.

Mr. Molnar explained that the Zoning Board, Planning Board and Township Committee are three separate entities and that this matter was originally before the Planning Board. Members of the Township Committee have also been advised by the Zoning Board attorney not to attend the meetings. As for the meeting dates, the Zoning Board has met the 4th Tuesday of the month for as long as anyone can remember.

Sean Pfeiffer, the Planning Board Chair, confirmed that the application started as an informal presentation before that body but the Board was informed by counsel that they had no jurisdiction under the Municipal Land Use Law (MLUL) due to there being two uses on the property, which threw the matter to the Zoning Board.

Mr. Fisher weighed in that tonight's crowd would be considered a heavy attendance but that there's no way of knowing turn out in advance. This is the normal meeting place for Township business and that any change of location would require a re-notice.

Vince Ranieri advanced that the Zoning Board knew that the attendance would be heavy; noted that the attorney stated that a number of letters were received; and, relayed that any petition would not be honored. A door-to-door campaign will be undertaken to get residents to apply for a reduction of taxes which will mean less tax money for the Township should this application go through. This will be done in January if the facility is approved without an ordinance in place. Concern was also expressed that Ferris Wheel Drive is a right-of-way, not a dead end and that the facility can be seen from his bedroom. Other residents will also be able to see it. Mr. Molnar advised that the Tax Assessor has been consulted and that it is not known whether adjoining properties will lose value but the matter is being researched.

Mr. Rich noted that the information relayed by Mr. Rice was well thought out but the Township Committee has no authority, jurisdiction, or standing to deal with the matter or in the decision process, although a Zoning Board decision can be appealed. He agreed that the system was not perfect but there is a process in place. Whether the Township Committee has the authority to make recommendations to the Zoning Board was questioned.

A brief exchange ensued over scheduling and convenience not only to Board members but also residents. The December 28th meeting was specifically mentioned as being inappropriate due to the holidays as most companies shut down; people go on vacation; and, the date would prohibit residents from being heard.

Mr. Ranieri feels that the current course of the Zoning Board appears to lean in favor of the applicant. He again noted that the Township will lose lots of money, which should make the Township Committee think about what's happening, as appeal papers will be handed out. Mr. Fisher urged Mr. Ranieri to attend the meeting and voice his opinion, but also noted that any decision has to be based on law and that the Zoning Board is an autonomous body. Mr. Pfeiffer added that there are legal issues involved with an application. A petition cannot be accepted because there is no opportunity to cross-examine the signers.

Cathy Urbanski relayed the meeting schedules of Boards and Committee for the benefit of those in attendance: Zoning Board, 4th Tuesday; Planning Board, 3rd Tuesday; Open Space, 2nd Tuesday; Environmental, 2nd Thursday, and the Township Committee, 1st Wednesday.

Randy McDaniels commented that he also attended the Zoning Board meeting and was disappointed when another application received a postponement while the residents were not allowed to request the same luxury for the solar one. His concern is over the Master Plan and if the variance will impact the open space. The Township needs to act quickly or be in jeopardy should something be forced to happen on the 28th with no adjustment made to the Master Plan. It appears that the applicant is rushing to get a decision without a plan in place; that the township is catering to one individual; and, that the timeline also benefits just one individual. He questioned if this would be a public utility.

In response to meeting dates and timing, Mr. Fisher offered that there was not even a whisper about solar three months ago. Also noted was that the Environmental Commission is trying to prepare an ordinance but very few examples are available as this is so new.

Mr. Pfeiffer explained that only the Zoning Board has the power to grant variances; that the State legislature has deemed solar to be 'inherently beneficial'; and, that the legislative change on time of decision now locks in on the submission of an application as of January 1st. The Board is given 45 days to act or an automatic approval is received, unless an extension is requested by the applicant. Hal Shute added that the next Zoning Board meeting date was announced at the last meeting. If changed, everyone would have to be notified.

On another topic, Mr. Ranieri inquired about the speed signs that were promised for the Calton development. He was advised that the developer is not responsible for this as this was not in the agreement. The Township is permitted under the statute to post signs but there is currently no money to purchase same.

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

Resolution to Amend the Capital Budget:

RESOLUTION #153-2010

WHEREAS, the local Capital Budget for the year 2010 was adopted on June 23, 2010; and

WHEREAS, it is desired to amend the adopted Capital Budget for the year 2010;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell Township, County of Hunterdon, New Jersey, that the following amendment to the adopted Capital budget be made:

CAPITAL BUDGET (Current Year Action) PLANNED FUNDING SERVICES FOR CURRENT YEAR-2010

Project Title	Estimated Total Cost	Capital Improvement Fund
Purchase of Office Equipment		
From	\$ -0-	\$ -0-
To	\$ 15,000	\$ 15,000
Total- All Projects		
From	\$9,895,000	\$115,000
To	\$9,910,000	\$130,000

5 YEAR CAPITAL PROGRAM-2010-2014 Anticipated Project Schedule and Funding Requirements

Project Title	Estimated Total Cost	Estimated Completion Time	2010
Purchase of Office Equipment			
From	\$ -0		\$ -0-
To	\$ 15,000	2010 -2011	\$15,000
Total-			

All Projects		
From	\$9,895,000	\$2,165,000
To	\$9,910,000	\$2,180,000

5 YEAR CAPITAL PROGRAM-2010-2014
Summary of Anticipated Funding Sources and Amounts

Project Title	Estimated Total Cost	Capital Improvement Fund
Purchase of Office Equipment		
From:	\$ -0-	\$ -0-
To:	\$ 15,000	\$ 15,000
Total-		
All Projects		
From:	\$9,895,000	\$790,000
To:	\$9,910,000	\$805,000

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed forthwith in the Office of the Director of Local Government Services within three days after the adoption of this project for the 2010 Capital Budget.

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

Introduction: Ordinance 15, 2010

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

ORDINANCE 15, 2010

AN ORDINANCE TO PROVIDE FOR THE PURCHASE OF OFFICE EQUIPMENT 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 purchase various office equipment including but not limited to computer equipment.

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-The resolution amending the 2010 Capital Budget of the Township of West Amwell is hereby established to conform with the provisions of this ordinance.

Section 6-There is no debt authorized for this improvement or purpose.

Section 7-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.

Public Hearing: Ordinance 13, 2010 AN ORDINANCE AMENDING CHAPTER 109 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, HUNTERDON COUNTY, NEW JERSEY—Signs

Proof of publication in the November 11, 2010 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the November 3, 2010 Township Committee meeting and mailed to surrounding municipalities and the Hunterdon County Planning Board. The Ordinance has been reviewed by the Planning Board, found consistent with the Master Plan, and adoption recommended. Mr. Molnar read the Ordinance by title and opened the public hearing.

Harry Heller inquired if this is changing the rule against back-lit signs, noting that the elementary school erected a back-lit sign in violation of the existing ordinance. He was advised that this prohibition was not changed as the planner was directed to keep current standards. However, language was added for enforceability. Section F. Illumination was referenced.

Hal Shute commented that F(3) states that ‘any person can remove...’ and questioned if this would cause a problem with election signs, perhaps even setting up occasion for sign stealing wars. A brief discussion ensued about campaign signs and whether this means sign on private property only.

Sean Pfeiffer suggested that the planner be asked about this issue and provide an amendment before the next election. The purpose of the ordinance is to keep billboards off Routes 202 and 179. Mr. Fisher agreed, stating that the ordinance needs to be on the books before the end of the year and can be amended later. He also suggested that this issue be on the next Planning Board agenda.

Hearing no further comments, the public hearing was unanimously closed.

Fisher moved for adoption of the Ordinance and Masterson seconded. Roll Call: Fisher-aye, Masterson-aye, Molnar-aye

Public Hearing: Ordinance 14, 2010 AN ORDINANCE TO AMEND CHAPTER 41 OF THE CODE OF TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY – Public Records (OPRA Fees)

Proof of publication in the November 11, 2010 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the November 3, 2010 Township Committee meeting. Mr. Molnar read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was unanimously

Molnar moved for adoption of the Ordinance and Masterson seconded. Roll Call: Fisher-aye, Masterson-aye, Molnar-aye

Harry Heller: After a year’s worth of work and a lot of dead trees, the total re-do of the Emergency Operating Plan, first adopted in 1990, is now completed. The next step includes getting a number of signatures prior to submission to the County and then finally to the State for approval. The New Emergency Management Plan was presented and signed by the members of the Township Committee.

Mr. Heller noted that on Old York Road there’s a collapsed culvert that should be given consideration before someone falls in. He was advised that the Township Engineer is aware of the situation. Also, as 911 Coordinator, Mr. Heller relayed that when Lambertville was re-doing Quarry Street that street signs were taken down. The Stymiest Road sign was purchased by West Amwell but is now MIA. Paul Cronic will be contacted concerning the disposition of the Township’s street sign.

Sincere appreciation was expressed to Mr. Heller for all his work.

SPECIAL AND/OR STANDING COMMITTEE REPORTS

Open Space

- *2012 Municipal Farmland Preservation PIG Application:* Mr. Pfeiffer explained that there are a couple of blank fields in the application related to soil calculations that await word from the County Planning Board. If not forthcoming, he will insert a best guess which should be similar to the one from last year. If the application packet is approved, Joe Kowalski will hand deliver it to Trenton for the December 15th deadline. A copy of the September letter to Bill Millett was requested from the Clerk for inclusion in the packet. The application was approved for

submission and Mayor Molnar signed the cover letter. Appreciation was expressed for the nice work presented.

- *Future Green Acres Projects*: Several hours of phone conversations with **Gary Salada** concerning his 76 acre piece were noted. Mr. Salada was considering preservation but recently received a letter from a solar developer. Apparently every landowner with 50 or more acres has been contacted, including Kiriluk and Miller. Mr. Salada may now have other options but still wishes to remain on the list, even with the public access problem.

Eileen Kaluzny has also been contacted and was to speak with the family over Thanksgiving. However, she is still not interested in an easement—just a total buyout—and has a potential buyer and/or solar opportunity. The property does not have good perc; has considerable wetlands; and, a JCP&L easement. The perc tests that were done are near Corsalo Road. The Committee confirmed that they are not interested in a total purchase.

Arthur Foran has proposed an open space trail over four potential properties, including one adjacent to the 22 acre lake. Members of the Open Space committee walked the area and agreed that the lake is a special place in the Township. Fox, bear, and beaver were evidenced. One big issue with the property is that 18 acres of it have a conservation easement already in place, which would mean buying the right to public access instead of development potential. Mr. Pfeiffer briefly overviewed the Planning Board action that created this. The Nelson's are also interested and would allow the use of their parking lot. However, there is litigation on the dam with no easement near it. South of Route 202 and adjacent to Case is 14 acres with no access. The area is zoned Light Industrial and adjoins the former Lennox Shop property. The proposed trail would run from the latter along 202 to Nelson and on to the lake. Parking has been offered off Frontage Road. It was also relayed that Bill Rawlyk is apparently interested in a regional trail approach and has indicated D & R Greenway's interest as well. Seventy percent of the funding would be provided with the remainder from the County's non-profit grant fund. However, he needs the lead to come from the Township. Mr. Pfeiffer inquired which parcel may be of interest but without the lake, there's no interest in the smaller parcels although there is a potential tie-in with the DEP Wildlife Management Area. Whether to buy public access on property with an existing conservation easement is a policy decision. The Committee requested that appraisals be obtained.

Properties adjacent to **Bowers** include a 5 acre piece (28/7) owned by DEP; a property off of Chimney Hill (18/1.16) owned by Zuccarelli that involves a 50' flag and 10+ acres in the SRPD. The back access has both a drainage and conservation easement. There is also a 34 acre flag lot with 50 ft of frontage that is owned by Land Development Corp. Public access could be considered from Bowers through Zuccarelli to connect with the Water Company. Or, a Goat Hill-Bowers-DEP-518-Water Company-Toll route could be considered. Interest of the parties involved will need to be determined.

Mr. Pfeiffer was instructed to list both Bowers and Foran for Green Acres purposes. Soft cost reimbursement items for the Kilmer project are being collected. Another bill from Attorney Dragan is expected.

- *Authorization to Post Oct. 12, 2010 Minutes & Updated OS Map on Website*: Approved
- *Annual Update Open Space Publication*: As there are insufficient funds to mail out the annual newsletter, permission to post it on the website was received. Local reporters will be requested to make note of the availability of this publication.
- *Open Space Invoices*: The bill from Attorney Dragan for Kilmer in the amount of \$2,499.00 and one from Gould Environmental for \$592.50 were approved for further processing.
- *Project Status Updates*: Nunn needs mapping information from the County. The contract for Gulick III has been hand-delivered to County Counsel's office, although there is already an option on the property.

UNFINISHED BUSINESS

Block 12 Lot 14 Options – Attorney Faherty relayed that the property can be sold privately under certain conditions but that he is still researching. If there were no improvements on the property, it could be offered to contiguous property owners. However, this is not the case. Clerk Olsen noted that two residents have expressed interest in the property but not for the figure being asked by the Township. The next water test is scheduled for December 14th, so the water lines will have to be flushed out. After that, the decision was to drain the water lines for the winter.

SHREC Update – Mr. Fisher noted that there's a lot of money floating around out there which could be to the Township's benefit with the installation of solar panels on 5 acres of municipal property. Receipts would run approximately \$30,000/year and the Township would receive reduced electrical rates. He offered that this is something that the Township has to do as it's a benefit for the Township with no liability and no risk, except for hosting the panels. It is anticipated that the array would be behind the County facility; an access easement through the

County property already exists, a copy of which will be located and provided.

Shared Services Report – Mayor Molnar reported on the November 29th meeting held by Freeholder Walton, indicating that he had expected more and that Zach Rich and Harry Heller were also in attendance. The sheriff-elect spoke about bringing temporary restraining orders back to the department, which would be a help to our police force; however, a County-wide police department is not something that should be anticipated. It'll stay either free State police or local coverage.

Mr. Heller commented on the following: 1) the Califon police merger is funded via a per household charge instead of a per capita one to pay the cost of coverage by Washington Township; 2) shared services in fire departments could mean equipment sharing instead of individual ownership; 3) S-818 is a total re-write of EMS and will affect municipalities as it mandates that towns provide EMS coverage through a designated provider.

The meeting was basically a refresher course on what we already do, according to Mr. Molnar. Also mentioned was that Fire Company's are too proprietary. The possibility of joining with another fire company for equipment was mentioned by Mr. Rich but this is something that cannot be done currently unless companies are dissolved. Certain equipment is required and is determined by radius. There's also a 20 year replacement mandate in place. Mr. Heller noted that if a township doesn't have "x" amount of equipment within "x" amount of miles of your house, insurance rates go up.

Mrs. Olsen relayed the following outreaches for possible shared services in line with the County's list provided earlier: 1) QPA – both Kerri Servilis of South and Donna Tolley at the elementary school hold this title. The former suggested that Superintendent Gartenberg be contacted as to parameters and time needed; 2) John Davenport at the County indicated that they have enough work already but offered to assist/look over specifications if requested; 3) Bob Thurgarland is the IT contact but would need to know exactly what the Township is looking for, e.g, web/email, etc.; 4) No word was received from Alan Johnson concerning the availability of a recycling truck; and, 5) John Glynn relayed that the County does not own a tub grinder. Any pesticide training would be through Rutgers.

Mr. Molnar reported that he spoke with Roger Locandro of Delaware Township who indicated interest in a police shared service. He is expected to be mayor next year. However, there has been no word from Kristen McCarthy on the topic.

DRJTBC re: Sign Removal – Jason Fuhr commented on the condition of the sign at the last meeting. Road Supervisor Hoagland has straightened it. However, it has to stay in place for 5 years from the date of the agreement, or 2015.

Determination of Date(s) for Special Meeting to Conduct Interviews – December 8th at 4:15 p.m. was selected for prosecutor interviews.

Garbage & Trash – Attorney Faherty reviewed the two bids received and advised that the low bidder has not met the specifications. The Committee could choose to reject all bids.

RESOLUTION #154-2010

WHEREAS, the Township of West Amwell advertised and subsequently received bid proposals for a *25 Cubic Yard High Compaction Leach 2Rll Rear Loading Body Mounted on a 1996 or new Mack (with conventional cab, diesel engine, auto transmission, tandem rear) or Approved Equal* garbage truck; and

WHEREAS, two bid proposals were received as follows:

<u>Vendor</u>	<u>Bid Amount</u>
Coopersburg Kenworth	\$39,950.00
American Hose & Hydraulics	\$45,000.00

WHEREAS, Philip J. Faherty, III, Township Attorney, has reviewed the submitted bids and determined that Coopersburg Kenworth of Coopersburg, PA submitted the lowest bid for the item requested. However, there are defects in the documents submitted which rules out consideration of that bid (no bid bond, Business Registration Certificate or references); and

WHEREAS, American Hose & Hydraulics of Patterson, NJ submitted the second lowest bid and has satisfied all of the specification requirements; and

WHEREAS, the Township of West Amwell has sufficient funds to award the Contract per the Certification provided by the CFO

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of West Amwell that the bid for a *25 Cubic Yard High Compaction Leach 2Rll Rear Loading Body Mounted on a 1996 or new Mack (with conventional cab, diesel engine, auto transmission, tandem rear) or Approved Equal* garbage truck is hereby awarded to American Hose & Hydraulics of Patterson, NJ for \$45,000

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

- *Authorization for CFO to Cut Check for Mayor's Signature:* Authorization unanimously bestowed.

- *Discussion on Back-up Plan* – Mr. Molnar explained that the truck just awarded is for weekly garbage and that recycling will continue with the use of a truck from Lambertville. A proposal to purchase five 30 yard containers (2 for trash, 2 for recycling and 1 for scrap metal) and a roll back truck was advanced by the mayor. A brief discussion ensued about Delaware Township's recycling program, equipment and cost. Reporter Kiriluk relayed that Delaware does not recycle plastic and that the program is very different. Clerk Olsen reminded the mayor about the problem encountered previously with blowing recyclables when open roll-offs were used. Another option discussed was to buy a larger garbage truck and include both the grammar school and high school in a shared service in exchange for an IT person.

- *Staffing* – Using a DPW employee for the Saturday event with an equal amount of comp time during the week or bringing in another part-time employee was discussed. It was decided that it would be less expensive to hire another part-timer to work the Saturday depot. An advertisement will be made.

- *Flyer for Distribution at Depot* – A reminder that new garbage cards are needed starting January 1st was approved for distribution.

- *Upcoming Garbage Bid* – These are due December 21st. The decision was not to cancel.

Resolution to Enter Closed Session –

RESOLUTION #155-2010

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:
CONTRACT NEGOTIATIONS (Police; Professional Services)
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.

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

NEW BUSINESS

2011 Preparations –

- *Resolution Setting Re-Org Date & Time for Publication:*

RESOLUTION #156-2010

BE IT RESOLVED that the West Amwell Township Committee will hold its Annual Reorganization meeting on Saturday, January 1, 2011 at 1:00 p.m.

BE IT FURTHER RESOLVED that the Reorganization meeting be held in the municipal building located at 150 Rocktown-Lamb. Road, West Amwell, New Jersey. The public is invited to attend.

Fisher motioned to approve the Resolution, Masterson seconded. Carried unanimously.

- *2011 Meeting Dates*: Two possible scenarios were presented and discussed. The decision was to change to the third Wednesday of the month.

- *Board/Committee Openings for 2011*: Information was distributed that included regular appointments and other openings; a copy of the current officials list; and, some rules that apply to Board appointments.

- *Distribution of Professional Services Proposals*: These are to be reviewed so that contracts can be awarded on January 1st.

- *2011 Salary & Wage Ordinance*: The question here is whether this is to be scheduled for January 1st. Further discussion will be held at the special meeting on December 8th.

Old York Road Sections 1 & 2 – DRJTBC

- *Resolutions Approving Preparation/Submission of Application* – Mr. Rich gave credit to Engineer Clerico for scoping the availability of funds while attending the recent League convention. Contacts with bridge commission members are encouraged to help move the application along.

RESOLUTION #157-2010

WHEREAS Township Engineer Robert J. Clerico has prepared an application to the DRJTBC for funding for Old York Road Improvement Project Section 1; and

WHEREAS the West Amwell Township Committee has reviewed said application and is in agreement with its purpose.

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that Mayor Thomas J. Molnar be authorized to execute the application to the DRJTBC for the Old York Road Improvement Project Section 1; and

BE IT FURTHER RESOLVED that said application be mailed to DRJTBC, Attn: Julio A. Gurdy, Director, Compact Authorized Investment, 110 Wood Street, Morrisville PA 19067

Motion by Fisher to approve the Resolution, seconded by Masterson and carried unanimously. The application was signed by the mayor.

RESOLUTION #158-2010

WHEREAS Township Engineer Robert J. Clerico has prepared an application to the DRJTBC for funding for Old York Road Improvement Project Section 2; and

WHEREAS the West Amwell Township Committee has reviewed said application and is in agreement with its purpose.

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that Mayor Thomas J. Molnar be authorized to execute the application to the DRJTBC for the Old York Road Improvement Project Section 2; and

BE IT FURTHER RESOLVED that said application be mailed to DRJTBC, Attn: Julio A. Gurdy, Director, Compact Authorized Investment, 110 Wood Street, Morrisville PA 19067

Motion by Fisher to approve the Resolution, seconded by Masterson and carried unanimously. The application was signed by the mayor.

Discussion of Projects/Goals/Objectives for 2011

Committee-man elect Zach Rich requested that consideration be given to setting goals/priorities for year. The following items were listed: 1) new website to be funded in the budget; 2) purchase of a recycling truck; 3) police; 4) disposition of the former Perrine house; 5) police car maintenance; and, 6) a lift for the garage. Also mentioned was the firehouse, but this should be considered as a long range project. A monthly department matrix showing comparisons against the previous year was also suggested.

OPEN TO THE PUBLIC

Mr. Pfeiffer commented that the CFO is looking for preliminary budget numbers and that the Planning Board has some action items to be addressed in 2011. These include such projects as the zoning ordinance, which will need review by both the engineer and planner; the conditional use ordinance, especially where public utilities are concerned; an energy ordinance; and, an economic plan. A few other areas will probably also be identified. Mr. Pfeiffer offered that the Board will be creative and prioritize the projects.

ADMINISTRATIVE REPORTS

Treasurer –

RESOLUTION #159-2010

WHEREAS, N.J.S.A. 40A:4-58 permits appropriation transfers during the last two months of the fiscal year between line items of the municipal budget, and

WHEREAS, it has been determined that certain line items are in excess of the sums needed and certain line items have insufficient funds to complete the operation of the fiscal year,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell, County of Hunterdon, State of New Jersey, that the following transfers be made between the Budget Appropriations as follows:

	From	To
Municipal Clerk: Other Expenses	\$ 500.00	
Electricity: Other Expenses	\$ 2,000.00	
Telephone: Other Expenses	\$ 2,000.00	
Municipal Clerk: Salaries & Wages		\$ 500.00
Vehicle Maintenance: Other expenses		\$ 1,000.00
Gasoline: Other expenses		\$ 3,000.00
Total	\$ 4,500.00	\$ 4,500.00

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

Presentation of Bills for Approval: Fisher motioned to approve the evening's bills for payment, seconded by Masterson, and carried unanimously.

Statement of Cash: As of this date there is a cash total of \$5,048,641.53 between the operating and capital accounts.

Tax Collector – The monthly report for November 2010 was received showing receipts in the amount of \$2,123,769.41.

Clerk/Human Resources

- Resolution Appointing CFO –

RESOLUTION #160-2010

WHEREAS, the Township of West Amwell advertised for the position of Chief Financial Officer; and

WHEREAS, interviews were conducted with two applicants; and

WHEREAS, the Township Committee has determined that Thomas J. Carro is best qualified for said position; and

WHEREAS, Thomas J. Carro has accepted the Township's offer for the stated position

THEREFORE, BE IT RESOLVED that Thomas J. Carro be appointed Chief Financial Officer (CFO), effective January 1, 2011

BE IT FURTHER RESOLVED that this appointment is for a 4-year term expiring on December 31, 2014.

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

- *Letter of Retirement from Tax Collector Park* – Catherine Park stated that she will be retiring December 31, 2010 and that the Township has agreed to pay health benefits per the terms of the October resolution. The retirement was unanimously accepted and the position will be advertised.

Construction – The October 2010 Permit Fee Log details (20), Monthly Activity Report-Permits (20), Payment Audit Report, Monthly Activity Report-Certificates (13), Certificate Log Detail were received for PermitsNJ and UCCARS. Deposits for the month were \$7,846.00. Mr. Molnar relayed that the department is 'in the black' this year.

Police – The October 2010 Monthly Report showing 193 incidents, 77 summonses and 00 warnings was received. It was noted that there are more domestics this year than in prior years.

Roads – The October 2010 Monthly Report showing the department's various activities for the month was received.

Zoning Officer Report -- The October 2010 report of activities was received. Numerous phone calls and interpretations were noted, together with several permits and meetings. Deposits for the month were \$525.00

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

The Committee entered their previously approved Closed Session at 10: 22 p.m., returning to Open Session at 11: 07 p.m.

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 11:08 p.m. on motion from Molnar, seconded by Fisher.

Respectfully submitted,

Lora Olsen, RMC
Township Clerk