

WEST AMWELL TOWNSHIP COMMITTEE MEETING

December 2, 2020

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 Jim Cally, Deputy Mayor Stephen Bergenfeld, Committeemen John Dale, Gary Hoyer and Lucas Lyons along with Township Clerk Maria Andrews.

Mayor Cally announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was faxed to the Hunterdon County Democrat and Trenton Times on January 13, 2020, 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.

AGENDA REVIEW BY TOWNSHIP CLERK

Clerk Andrews noted the following 3 resolutions that were received after the agenda was posted and will be addressed under New Business:

Resolution #95-2020: Correction to a page of the 2020-2023 Police Contract

Resolution #96-2020: Establishing a subcommittee to plan the Township's 175th Anniversary

Resolution #97-2020: Authorizing the Planning Board to Investigate a Potential Redevelopment Area

ANNOUNCEMENTS

The following announcements were made:

- Official Election Results: John Dale 1049 – Rebecca Smith Casey 903
- The Municipal Offices will be CLOSED 12/24/20 & 12/25/20 – Christmas Holiday
- The Last Meeting in December is MONDAY 12/28/20
- Kindly Turn Cell Phones Off During the Meeting

PRESENTATION OF MINUTES

A motion by Bergenfeld, seconded by Dale to approve the Committee's 11/18/20 Regular and Closed Session minutes with no revisions noted was unanimously approved by voice vote.

OPEN TO THE PUBLIC/TOPICS NOT ON THE AGENDA

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

SPECIAL PRESENTATIONS

Reports by Department Heads

Deputy Mayor Bergenfeld commented that SWAC Coordinator Rollero had sent an email requesting the Committee authorize the contract for the compactor be signed. It was noted for the record that the Committee took no issue with Coordinator Rollero signing the contract with Republic Services.

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

It was noted for the record that no ordinances were listed on the agenda for action.

STANDING COMMITTEE REPORTS

- A. Open Space: No report given.
- B. Environmental: Mike Spille was present and highlighted the following issues:
 1. New Jersey Resources (NJR) has indicated they are removing PennEast from all of their project income reports which Mr. Spille indicated effectively means they have lost total interest in the PennEast Pipeline expansion project
 2. Almost all of the Ash trees in the Township are dying and the Environmental Commission (EC) would like to alert residents and the power companies that they need to be removed. Deputy Mayor Bergenfeld asked Mr. Spille to provide Clerk Andrews with a list of the problem areas within the Township and stated he will contact Jose

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- Ortiz with JCP&L who has been very responsive in the absence of our regular representative, Mr. Prater
3. The EC would like to create and send informational flyers out to the residents with tips on the best ways to get rid of the spotted lantern fly
- C. Ag Advisory: No report given.
- D. Finance Committee: No report given.

UNFINISHED BUSINESS

PennEast Status Update

It was noted that Mr. Spille had provided a PennEast update under his Environmental Commission report.

Website Status Update

It was noted for the record that no update was provided.

NEW BUSINESS/OTHER

Approval of Resolution #94-2020: Shared Service (Equipment) Agreement with City of Lambertville

TOWNSHIP OF WEST AMWELL
RESOLUTION OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY
AUTHORIZING THE ENTRY INTO AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF WEST
AMWELL AND THE CITY OF LAMBERTVILLE FOR USE OF MUNICIPAL EQUIPMENT
RESOLUTION #94-2020

WHEREAS, pursuant to N.J.S.A. 40A:65-1, the Township of West Amwell may, by Resolution, enter into an Interlocal Services Agreement with another local government entity; and

WHEREAS, the Township of West Amwell and the City of Lambertville have agreed to enter into an Interlocal Services Agreement to provide for the use of the Township of West Amwell's roadside tractor mower and the City of Lambertville's sewer jetter truck.

NOW THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of West Amwell, in the County of Hunterdon, and State of New Jersey as follows:

The Mayor and Township Clerk are hereby authorized to enter into an Interlocal Agreement between the Township of West Amwell and the City of Lambertville for the use of the Township of West Amwell's Roadside tractor mower by the City of Lambertville and the use of the City of Lambertville's sewer jetter truck by the Township of West Amwell as set forth in the Interlocal Agreement, which is attached hereto and made a part hereof this Resolution.

A copy of this Resolution shall be provided to Maria Andrews, Township Clerk for the Township of West Amwell, and to Cynthia L. Ege, Township Clerk for City of Lambertville for their information and guidance.

This Resolution shall take effect immediately.

Adopted: 12/2/20

Maria Andrews, Township Clerk, RMC

James Cally, Mayor

A motion by Hoyer, seconded by Lyons to approve Resolution #94-2020 was unanimously approved by roll call vote.

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

Approval of Resolution #91-2020: Establishing a Business Non-Interference Policy

Mayor Cally commented that the resolution supports local businesses making their own decisions regarding COVID safety protocols without the Township interfering.

**TOWNSHIP OF WEST AMWELL
RESOLUTION ESTABLISHING A BUSINESS NON-INTERFERENCE POLICY
Resolution 91-2020**

WHEREAS, on November 12, 2020, New Jersey's Governor enacted executive order #195, delegating authority to counties and municipalities to regulate the operating hours of non-essential businesses after 8:00 p.m. to manage the recent surge in the corona virus; and

WHEREAS, the Governor's previous orders shutting down businesses throughout the state earlier in the year and restricting their re-opening has resulted in the closing of many businesses, tens of thousands of lost jobs, and economic devastation across New Jersey, and

WHEREAS, businesses presently in operation in West Amwell Township already require customers and employees to wear masks, observe social distancing, following health mandates as directed by the state government and the Centers for Disease Control (CDC); and

WHEREAS, the Governing Body of West Amwell Township believes that private businesses know far better than government how to ensure the protection of the health of their customers and employees, while still being economically feasible; and

WHEREAS, additional restrictions placed on private businesses, particularly restaurants and other small retailers, could result in their permanent closure which will lead to greater economic harm, additional layoffs, and the devastation of local downtowns for years to come;

NOW THEREFORE, BE IT RESOLVED, By the Governing Body of West Amwell Township that no action will be taken by the Township to interfere with, reduce the hours of, or close down private businesses in the Township under the circumstances authorized by Executive Order #195.

ATTEST:

By Order of the Township Committee

Maria Andrews, Township Clerk, RMC

James Cally, Mayor

CERTIFICATION

I, Maria Andrews, Clerk of West Amwell Township hereby certify that this resolution was duly adopted by the Governing Body at a meeting duly held on December 2, 2020.

Maria Andrews, Township Clerk, RMC

A motion by Lyons, seconded by Dale to approve Resolution #91-2020 was unanimously approved by roll call vote.

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

Discussion: Speed Limits on Un-posted Municipal Roads

It was noted for the record that DPW Director Rollero has received requests from residents in The Estates at West Amwell and George Washington Road asking for posted speed limit signs of 15 mph. The State statute recognizes 25 mph as the standard for any un-posted road and the Committee believes the Township should follow the State's guidance and do the same. The Committee suggested Director Rollero coordinate with Township Attorney Campbell to make sure the ordinances are consistent on this matter.

Discussion: Recycling Depot – Garbage Bag Limit (Possibly) Increased for December

Deputy Mayor Bergenfeld commented that he received a request from a resident to allow additional garbage bags at the depot during the month of December because the holidays typically generate more

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garbage at households. It was noted for the record that the Committee took the request under advisement and will reach out to Director Rollero for his thoughts on the request.

Discussion: Reimbursement Request from Chief Ent for \$12,767.38 for Fire Truck Repairs

It was noted for the record that the Committee would like Clerk Andrews to request copies of the repair orders from Chief Ent.

Discussion: (Staff) Office Holiday Festivities

Clerk Andrews remarked that a few staff members had discussed having a little holiday open house type event for employees to stop by and grab a sandwich and asked if the Committee would support such a celebration on 12/17/20 from 12 PM – 2 PM which would provide plenty of time for everyone to come by randomly and still be able to comply with all social distancing protocols. It was noted for the record that the Committee approved covering sandwich platters up to \$100 for the event.

Discussion: Request for Route 31 Redevelopment Study/Possible Approval of Resolution #97-2020

It was noted for the record that Deputy Mayor Bergenfeld recused himself from the discussion on this matter and left the meeting room at this time.

Mayor Cally commented that a letter had been sent to Township Attorney Campbell from an attorney representing a client exploring potential industrial development along the Route 31 corridor.

RESOLUTION #97-2020

RESOLUTION OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF WEST AMWELL PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES: BLOCK 23, LOTS 1, 3, 4, 5, 6(PO) AND 9(PO) (LIMITED HIGHWAY COMMERCIAL ZONE); BLOCK 23, LOTS 4.01, 6 (PO), 9 (PO), 10, 10.01, 11, 12, 13, 28 AND 32 (RURAL RESIDENTIAL SOUTH) QUALIFIES AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (“Redevelopment Law”), provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

WHEREAS, the Redevelopment Law sets forth the procedures for the Township to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

WHEREAS, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be deemed a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the New Jersey Legislature adopted, and the Governor signed, P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, “[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a “Non-Condemnation Redevelopment Area”) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a “Condemnation Redevelopment Area”)”; and

WHEREAS, the Township Committee desires to commission a study to determine if the Area(s) should be designated a Non-Condemnation Redevelopment Area; and

WHEREAS, the Township Committee finds it to be in the best interest of the Township and its residents to authorize the Township’s Planning Board pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-6 to undertake such preliminary investigation of the study area which includes properties Block 23, Lots 1, 3, 4, 5, 6(PO) AND 9(PO) (Limited Highway Commercial Zone); Block 23, Lots 4.01, 6 (PO), 9 (PO), 10, 10.01, 11, 12, 13, 28 AND 32 (Rural Residential South);

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WHEREAS, the Township of West Amwell wishes to direct the Planning Board to undertake a preliminary investigation utilizing Charles Latini Jr., PP, AICP, of L&G Planning LLC to prepare the preliminary investigation to determine whether the proposed Study Areas qualifies as an area in need of Non-Condernation Redevelopment pursuant to N.J.S.A. 40A:12A-5.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell, in the County of Hunterdon, and State of New Jersey, that the Planning Board is hereby authorized to undertake a preliminary investigation, utilizing Charles Latini Jr., PP, AICP, of L&G Planning LLC to prepare the preliminary investigation, pursuant to the notice, conduct a hearing and comply with other requirements of the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq., as amended, in order to recommend to the Township Committee whether the area comprising the study area is an area in need of **Non-Condernation Redevelopment** according to the criteria set forth in N.J.S.A. 4A:12A-5.

BE IT FURTHER RESOLVED, that the Planning Board is hereby directed to provide individual notice to the property owners of record in the Study Areas in accordance with N.J.S.A. 40A:12A-6.

BE IT FURTHER RESOLVED, that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution with supporting documentation.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution is to be forwarded to the Planning Board of the Township of West Amwell.

BE IT FURTHER RESOLVED, that this Resolution shall take effect pursuant to law.

I, Maria Andrews, Clerk of the Township of West Amwell, in the County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of resolution which was adopted by the Township Committee at a meeting held on the 2nd day of December 2020.

Maria Andrews, Township Clerk, RMC

Committeeman Hoyer suggested the study area be expanded a little further North on Route 31 as well.

A motion by Hoyer, seconded by Lyons to approve Resolution #97-2020 was approved by roll call vote.
Dale: Yes, Hoyer: Yes, Lyons: Yes, Cally: Yes

It was noted for the record that Deputy Mayor Bergenfeld returned to the meeting room at this time.

Approval: Resolution #95-2020: Correction to the 2020-2023 Police Contract

**RESOLUTION #95-2020
AMENDMENT TO 2020-2023 AGREEMENT TO CORRECT THE TYPOGRAPHICAL ERROR**

THIS AMENDMENT to the 2020-2023 Agreement is entered into by and between the Township of West Amwell (hereafter, the "Township") and New Jersey State Policemen's Benevolent Association Local No. 188 (hereafter, "PBA Local 188").

WHEREAS, the Township and PBA Local 188 are parties to a Collective Negotiations Agreement with a term of January 1, 2020 through December 31, 2023 (hereafter, the "2020-2023 Agreement"); and

WHEREAS, Article XIX, Paragraph 1 (Page 29), provides that the salaries for Officers hired after January 1, 2020; and

WHEREAS, after the execution of the Agreement, the parties noticed some typographical errors in the chart as to the 2021, 2022 and 2023 salaries for Patrolman 2nd Class, Patrolman 3rd Class and Patrolman 4th Class; and

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WHEREAS, the Township and PBA Local 188 seek to amend the salary chart on Page 29 of the 2020-2023 Agreement in order to correct those typographical errors; and

WHEREAS, the 2020-2023 Agreement, at Article XXVI, provides for the modification of the Agreement by written amendment agreed to and executed by both parties.

NOW, THEREFORE, the Township and PBA Local 188 hereby agree as follows:

Page 29 of the 2020-2023 Agreement is hereby amended to replace Page 29 with the new page 29 attached hereto.

This Amendment is effective January 1, 2020 through December 31, 2023 and shall remain in force and effect until superseded by a new agreement.

This Amendment shall not be effective unless and until it is ratified by the PBA membership and the Township Council of the Township of West Amwell.

For the Township:

James Cally, Mayor

Dated: _____

For PBA Local 188

Brian McNally, President

Dated: _____

Joseph Cesare, Representative

Dated: _____

Jonathan Sellner, Representative

Dated: _____

A motion by Bergenfeld, seconded by Hoyer to approve Resolution #95-2020 was unanimously approved by roll call vote.

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

Approval: Resolution #96-2020: Establishing a Subcommittee for the Township's 175th Anniversary

**RESOLUTION OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF
NEW JERSEY DESIGNATING MEMBERS FOR A SUBCOMMITTEE TO PLAN THE
DODRANSBICENTENNIAL CELEBRATION IN 2021.
RESOLUTION #96-2020**

WHEREAS, the Township of West Amwell will be celebrating its Dodransbicentennial (175th) Anniversary in 2021; and

WHEREAS, the Township Committee wishes to create an advisory subcommittee to assist in the planning of the Township's celebration of the Dodransbicentennial.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of West Amwell, County of Hunterdon, State of New Jersey that an advisory subcommittee is hereby approved to be formed and the Mayor is authorized to appoint the members of the subcommittee.

CERTIFICATION

I, Maria Andrews, Municipal Clerk for the Township of West Amwell, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Township Committee at their December 2, 2020 meeting.

Maria Andrews, Township Clerk, RMC

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Deputy Mayor Bergenfeld questioned why a resolution was needed for a subcommittee when the Historic Preservation Committee was spearheading this celebration. He commented that he believed the Historic Committee Members should plan the event if they wished to have a 175th anniversary celebration.

A motion by Cally, seconded by Hoyer to approve Resolution #96-2020 was approved by roll call vote with Deputy Mayor Bergenfeld opposing.

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

OPEN TO THE PUBLIC

Mayor Cally opened the floor to public comment. Seeing no members of the public come forward he closed the floor to public comment.

ADMINISTRATIVE

Treasurer: Approval of Resolution #92-2020: Budget Amendments (Chapter 159)

TOWNSHIP OF WEST AMWELL
SPECIAL ITEMS OF REVENUE AND APPROPRIATION IN THE 2020 BUDGET
PURSUANT TO N.J.S.A. 40A:4-87
RESOLUTION #92-2020

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of 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, said Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township of West Amwell hereby requests The Director of the Division of Local Government Services to approve the insertion of items of revenue In the budget of the year 2020 in the sum of \$ 33,118.23 which items are now available as a revenue from the following sources pursuant to the provision of statute:

NJ Clean Communities Program	\$ 11,782.19
Distracted Driver Grant	8,150.00
Drive Sober	3,300.00
County of Somerset DWI Pass Thru	3,080.00
NJ Body Armor (2019)	1,255.41
Recycling Tonnage Grant	5,550.63

BE IT FURTHER RESOLVED that a like sum of \$ 33,118.23 be and the same is hereby Appropriated under the caption of the following:

NJ Clean Communities Program	\$ 11,782.19
Distracted Driver Grant	8,150.00
Drive Sober	3,300.00
County of Somerset DWI Pass Thru	3,080.00
NJ Body Armor (2019)	1,255.41
Recycling Tonnage Grant	5,550.63

ADOPTED THIS 2nd DAY OF DECEMBER, 2020
AND CERTIFIED AS A TRUE COPY OF AN ORIGINAL.

Maria Andrews, Township Clerk, RMC

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A motion by Bergenfeld, seconded by Hoyer to approve Resolution #92-2020 was unanimously approved by roll call vote.

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

CORRESPONDENCE

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

ADJOURNMENT

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

The meeting adjourned at 8:20 PM.

Maria Andrews, Township Clerk, RMC

Approved: 12/28/20