

# **WEST AMWELL TOWNSHIP COMMITTEE MEETING**

## **March 4, 2009**

### **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 7:05 p.m. Present were Mayor William J. Corboy, Deputy Mayor Frank P. Masterson III, Committeeman Thomas J. Molnar and Attorney Philip J. Faherty III. Also in attendance were Cathy & Chester Urbanski, Carrie & Joanne Hornberger, Karen Baldino, Susan Molnar, Catherine & Rita Reishman, Sean Pfeiffer, Tom King, Hal Shute, Steve Bergenfeld, Alex Baran, Svetlana Repic-Qira, Robert Stack and reporter Renee Kiriluk-Hill

Mayor Corboy 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 2, 2009, 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**

Girl Scout Catherine Reishman led the assembled group in the pledge.

### **AGENDA REVIEW BY TOWNSHIP CLERK**

The following items were added: 9. Unfinished Business: Solar Report; 10. New Business: ADA Training Opportunity, Letter from Tom King, Letters Concerning CMPTRA; 12. Police Reports for January and February. 12. Tax Collector was deleted.

### **ANNOUNCEMENTS**

Mayor Corboy made the following announcements:

- 2009 Dog Licenses are Subject to \$5.00/month Late Fee
- Hazardous Waste Day, March 14<sup>th</sup>, Rt. 12 County Complex, 9 a.m.-1 p.m.
- Electronics Collection, March 28<sup>th</sup>, Rt. 12 County Complex, 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 February 18, 2009 Special, Regular and Closed Session minutes and the February 26, 2009 Special and Closed Session minutes were approved on motion from Molnar and seconded by Masterson. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

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

Carrier Hornberger of Girl Scout Troop 400 requested permission to distribute a flyer at Saturday's depot for a blood drive that she is organizing to help save lives and achieve her Gold Award. The event will be held on March 14<sup>th</sup> from 9:30 a.m. to 3:00 p.m. at the Centenary United Methodist Church in Lambertville. Ms. Hornberger stated that there will be three Girl Scouts supervised by one of the mom's during the Saturday distribution. Permission granted.

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

**Presentation of Proclamation to Girl Scouts:** Girl Scout Catherine Reischman was in attendance to receive the proclamation that was approved at the February 18<sup>th</sup> meeting. Mayor Corboy read the proclamation designating March 8-14 as Girl Scout Week in West Amwell Township and presented it to Ms. Reischman.

**Public Hearing:** Ordinance 3, 2009 (continued)

AN ORDINANCE AMENDING CHAPTER 99 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY (Garbage, Rubbish and Refuse)

Cathy Urbanski came forward to call attention to the discrepancy between the Ordinance and the proposed flyer. The due date on each was changed to June 30<sup>th</sup>.

Ron Shapella relayed that the Recycling committee discussed the situation and offered that the number of bags be limited; that the logistics need to be worked out between now and June; and, that a sign should be posted at the depot. Concern over enforcement was again noted.

Hearing no comments, the public hearing was closed on motion from Molnar and seconded by Masterson. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Molnar moved for adoption of the Ordinance, with the minor change to June 30th and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

**Introduction:** Ordinance 8, 2009

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

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY.

SECTION 1

The following shall be the rate and ranges of compensation for officials and employees of the township for the year 2008.

Mayor .....	\$3391.00
Township Committee .....	\$2844.00
Township Clerk .....	\$48,707.00 - \$59,531.00
Plus \$35.00/hr. for special & emergency meetings	
Registrar of Vital Statistics .....	\$2,340.00 - \$2,860.00
Municipal Housing Liaison/AA .....	\$2,250.00 - \$8,000.00
Deputy Township Clerk .....	\$26,208.00 - \$32,032.00
Director of Public Assistance .....	\$1,247.00 - \$1,524.00
Assessor .....	\$26,891.00 - \$32,867.00
Collector of Taxes .....	\$27,637.00 - \$33,779.00
Chief Financial Officer/Treasurer.....	\$27,890.00 - \$34,088.00
Assistant Treasurer .....	\$3,744.00 - \$4,576.00
Planning Board Secretary .....	\$11,700.00 - \$14,428.00
Plus \$200.00 per additional meeting over 12/year	
Deputy Planning Board Secretary .....	\$200.00/meeting
Board of Adjustment Secretary .....	\$4,680.00 - \$5,720.00
Deputy Board of Adjustment Secretary .....	\$200.00/meeting
Board of Health Secretary .....	\$2,239.00 - \$2,737.00
Plus \$35.00/hr. for special & emergency meetings	
Dog Warden .....	\$4,819.00 - \$5,889.00
Dog Registrar .....	\$.50 per dog license issued
Magistrate .....	\$10,227.00 - \$12,561.00
Court Administrator .....	\$34,524.00 - \$42,196.00
Construction Code Official.....	\$9,225.00 - \$11,275.00
Plumbing Sub-Code Official & Inspector.....	\$4,815.00 - \$5,885.00
Electric Sub-Code Official & Inspector .....	\$5,850.00 - \$7,150.00
Building Sub-Code Official & Inspector .....	\$6,750.00 - \$8,250.00
Fire Sub-Code Official & Inspector .....	\$4,050.00 - \$4,950.00
Fire Official .....	\$5,429.00 - \$6,635.00

Zoning Officer .....\$5,740.00 - \$7,016.00  
Police Administrative Secretary .....\$32,606.00 - \$39,852.00

Asst. Tax Collector .....\$17.38 - \$21.24/hr  
Office Assistant ..... \$12.17 - \$14.87/hr  
General Office Secretary/Clerk .....\$12.17 - \$14.87/hr  
Buildings & Grounds (Waste Security Officer) .....\$12.84 - \$15.70/hr  
Assistant Waste Security Officer.....\$10.42 - \$12.74/hr  
Waste Security Laborer ..... \$10.30 - \$12.58/hr  
Deputy Court Administrator ..... \$12.17 - \$14.87/hr  
Court Security Officer..... \$16.63 - \$20.33/hr  
Substitute Construction Official, Sub-Code Officials and Inspectors ....\$28.97 - \$35.41/hr  
Technical Assistant to Construction ..... \$15.91 - \$19.45/hr  
Substitute Technical Assistant ..... \$15.91 - \$19.45/hr  
Road Supervisor ..... \$26.87 - \$32.85/hr  
Road Foreman ..... \$20.44 - \$24.98/hr  
Road Class A (10 or more years of service) ..... \$18.69 - \$22.86/hr  
Road Class B (5-10 years of service) .....\$15.47 - \$18.91/hr  
Road Class C (Less than 5 years of service) .....\$14.51 - \$17.73/hr  
Temporary Laborer .....\$12.05 - \$14.72/hr  
Part-time Officers .....\$18.54 - \$22.65/hr  
Part-time Officers Spec Duty ..... \$22.41 - \$27.39/hr  
Police Matrons ..... \$17.27 - \$17.96/hr  
with a minimum of 4 hours pay if called out between 9 p.m. and 6 a.m.

## SECTION II

Definitions and Benefits are outlined in the West Amwell Township Policy Manual adopted December 28, 2005 with amendments through March 19, 2008

## SECTION III

All Ordinances and parts of Ordinances inconsistent with this Ordinance are hereby repealed.

## SECTION IV

This Ordinance shall take effect after final adoption and publication according to the laws of the State of New Jersey.

Molnar moved to introduce the Ordinance on first reading and Masterson seconded.  
Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

### **Resolution Setting Salary & Wage for 2009:**

#### RESOLUTION #52-2009

BE IT RESOLVED by the Mayor and Township Committee of the Township of West Amwell that the salaries and compensation for 2009 employees shall be as follows:

<u>Position</u>	<u>1/1-3/31/09</u> <u>Salary</u> <u>Resolution</u> <u>Annualize</u>	<u>4/1-12/31/09</u> <u>Salary</u> <u>Resolution</u> <u>Annualize</u>
Mayor Corboy	\$ 3391.00	\$ 3,052.00
Township Committee members:		
Mr. Masterson & Mr. Molnar	\$ 2844.00/each	\$ 2,560.00
Township Clerk Olsen	\$ 54,119.00	\$48,707.00
Registrar Olsen	\$ 2,600.00	\$ 2,340.00
Municipal Housing Liaison/AA Olsen	\$ 2,500.00	\$ 2,250.00
Deputy Township Clerk Haberle	\$ 29,120.00	\$26,208.00
Director of Public Assistance Kuhl	\$ 1,385.00	\$ 1,247.00
Tax Assessor Gill	\$ 29,879.00	\$26,891.00

Tax Collector Park	\$ 30,708.00	\$27,637.00
CFO/Treasurer Luhrs	\$ 30,989.00	\$27,890.00
Assistant Treasurer Haberle	\$ 4,160.00	\$ 3,744.00
Planning Board Secretary Andrews	\$13,000.00	\$11,700.00
Board of Adjustment Secretary Griffiths	\$ 5,200.00	\$ 4,680.00
Board of Health Secretary Olsen	\$ 2,488.00	\$ 2,239.00
Dog Warden Hoagland	\$ 5,354.00	\$ 4,819.00
Judge Barson	\$11,419.00	\$ 10,277.00
Court Administrator Hoagland	\$38,360.00	\$34,524.00
Construction Official Rose	\$10,250.00	\$ 9,225.00
Plumbing Sub Code Official Rose	\$ 5,350.00	\$ 4,815.00
Electrical Sub Code Official Buchanan	\$ 6,500.00	\$ 5,850.00
Building Sub Code Official Rosso	\$ 7,500.00	\$ 6,750.00
Fire Sub Code Official Donnerstag	\$ 4,500.00	\$ 4,050.00
Fire Official Donnerstag	\$ 6,032.00	\$ 5,429.00
Zoning Officer Baldino	\$ 6,378.00	\$ 5,740.00
Police Administrative Secretary	\$36,229.00	\$32,606.00
Assistant Tax Collector Griffiths	\$ 19.31/hour	
Buildings/Grounds & Waste Security Officer Hoagland	\$ 14.27/hour	
Assistant Waste Security Officer Gordon	\$ 11.58/hour	
Deputy Court Administrator Anderson	\$ 13.52/hour	
Substitute Construction Official, Substitute Building & Fire Code Official & Inspector Wydner	\$ 32.19/hour	
Substitute Plumbing Official & Inspector V. Rose	\$ 32.19/hour	
Technical Assistant to Construction Taylor	\$ 17.68/hour	
Substitute Technical Assistant McDaniel	\$ 17.68/hour	
Road Supervisor Hoagland	\$ 29.86/hour	
Road Foreman DeFazio	\$ 22.71/hour	
Road Class B Pearson	\$ 17.19/hour	
Road Class C Baran	\$ 16.12/hour	
Part-time Officer/Special Duty Boan	\$ 24.90/hour	
Police Matron Griffiths & Hoagland	\$ 16.33/hour/each	
(min. 4 hrs pay if call out between 9 p.m. & 6 a.m.)		

BE IT FURTHER RESOLVED that this Resolution shall take effect upon the adoption and final passage of Ordinance #8, 2009

Masterson motioned to adopt the Resolution and Corboy seconded. Mr. Molnar was requested to explain his non support. The reason given was that he didn't like balancing the budget on the backs of the employees. Roll Call: Molnar-no, Masterson-aye, Corboy-aye.

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

### **Open Space**

- *Update on County Funding Situation:* Sean Pfeiffer reported that at the last CADB meeting the list of farms were reviewed. Some applications were dropped as not

meeting minimum criteria. Township farms were not among that group. The Freeholders have decided to find money to match State funds but in order to make sure that farms surviving the first cut are serious about remaining, option agreements were sent out. These included farms in the Traditional, Municipal and County PIG programs and the agreements must be returned by March 6<sup>th</sup>. Mr. Pfeiffer relayed that calls were placed to Township land owners and if the option agreements are not returned in time, final rankings will be affected.

- *Project Status Updates:* 1) Toll Brothers have agreed to take care of the various housecleaning items prior to closing. The abandoned tanks will be removed and they will undertake the additional testing and required report work. Survey comments have yet to arrive and there is one additional revision. Mr. Molnar inquired about the status of the two houses. The main house is 1800's or earlier and has been deemed salvageable for restoration. The second house will be demolished. There should be adequate funding in the ordinance to cover these activities. 2) A response from Kilmer is still pending on how to proceed. 3) Paperwork has been received from Green Acres for 2009 State funding. The ROSI needs to be updated by the end of March and should be ready for the 3/18 meeting.

Mr. Corboy inquired about SADC money received by the County and if there is still dedicated money in the SADC for acquisitions. Mr. Pfeiffer relayed that the County PIG has a \$2 million dollar base grant and that there is a separate pool of money that all counties can compete for that has a maximum of \$3 million dollars. The SADC direct program has \$4 million dollar remaining. Whether any Hunterdon County properties qualify depends on the particular application but Mr. Pfeiffer suspects that the money will most likely go to Salem County farms. West Amwell was successful in getting money last year for Comly.

### **Environmental**

- *Discussion Concerning Sustainable Jersey & Possible Resolution:* Information on this program was disseminated earlier and Mrs. Urbanski relayed that this is a certification and incentive program for municipalities that want to 'go green.' This is an initiative of the NJ State League of Municipalities, the Municipal Land Use Center, Rutgers University, DEP, the NJ Board of Public Utilities and a coalition of NJ non-profits. In order to register, a resolution must be adopted and a green team appointed. Mrs. Urbanski noted that the Environmental Commission can act as the latter and certification is acquired once 100 points is reached. These points should be easily acquired in that several areas are already covered by the NRI, the Woodlands ordinance and the Farmers Market. The non-matching grant money would be used to produce and mail a community outreach booklet delineating what can be done at home. An energy audit for the municipal building is a future endeavor. There are no hooks and the Township can back out at any time. The \$200,000 in funding is provided by Wal-Mart; is for the entire state; and, will be highly competitive.

### **RESOLUTION #53-2009 West Amwell Township Resolution Supporting Participation In the Sustainable Jersey™ Municipal Certification Program**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, West Amwell Township strives to save tax dollars, assure clean land, air and water and improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, West Amwell Township hereby acknowledges that the residents of West Amwell Township desire a stable, sustainable future for themselves and future generations; and

WHEREAS, West Amwell Township wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path West Amwell Township is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of West Amwell Township we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community:

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within West Amwell Township on matters of sustainability, the Township Committee wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Township Committee of West Amwell Township that we do hereby authorize Catherine Urbanski, Chairwoman of the Environmental Commission to serve as West Amwell Township's agent for the Sustainable Jersey Municipal Certification process and authorize her to complete the Municipal Registration on behalf West Amwell Township.

Molnar motioned to approve the Resolution and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

### **Affordable Housing**

- *Proposal from Community Options:* Robert Stack and Svetlana Repic-Qira of Community Options have submitted a proposal to purchase a property on Rock Road West. This is a 4 bedroom ranch home selling for \$265,900. Mr. Stack proceeded to overview the mission of Community Options and stated that the property under consideration would house 4 people and yield 5 COAH credits to the Township. Residents of the facility would include individuals who are developmentally disabled, mentally retarded, autistic, epilepsy, cerebral palsy, etc. Referrals are welcome as they try to target the local population. Also mentioned was that residents are under 24 hour supervision; that the house would be given a cosmetic renovation as well as sprinkler, fire and heat detector systems; and, barrier-free bathrooms will be incorporated. Community Options likes to keep a low profile in the community; employs no logos on their vans or homes; and, doesn't sell their properties. Their resident population usually stays for life and there will never be more than 4 residents. Trained staff is employed. Community Options would be honored to come into the Township and is looking for \$150,000 in support from the Township to purchase and renovation the home.

Susan Molnar, Chair of the Affordable Housing Board, offered that the Board is favorably disposed to this purchase. She commented that there are not many ranch homes available; \$150,000 is a dream for 5 credits; and, that this is a property not to be lost. Her main question was how this would be financed.

Attorney Faherty questioned the comment about the property never being sold and inquired if there would be a deed restriction placed on the property. Mr. Stack relayed that if sold, Title 30 requires that the property be transferred to another non-profit as the facility would be licensed for people with disabilities.

Discussion ensued about financing the Township's share through bonding; the time frame needed; and the source of the down payment. A contract is required in order to start the process. Community Options will also continue its search for available ranch homes in the area.

Molnar motioned to proceed with a joint purchase direction and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

## **UNFINISHED BUSINESS**

### **Possible Appointments** – None

**Garbage** – The flyer announcing the new fee was approved for distribution at Saturday's depot. Mr. Molnar reported that the truck was 45 minutes late in arriving last week. The driver indicated that he was called back as he had the wrong truck. The contract will be checked to see if there's a penalty that could be assessed. A letter will be sent.

**Summer Camp Promotional Information** – US Sports Institute provided a copy of the flyer they would like to distribute to the schools concerning their July offerings at Hewitt Park. Approved. Mr. Molnar will handle the details with US Sports and the schools.

### **Professional Services Resolution** - Held

**Lambertville Court Update** – Although no formal notification has been received, the court is expected to return to Lambertville on March 12<sup>th</sup>.

**Case/Holcombe Water Diversion** – Mrs. Urbanski and Mr. Corboy met with representatives from SADC, DEP and Rutgers on March 3<sup>rd</sup>. Due to the presence of nearby domestic wells, a lack of aquifer test data in the area, the low yield of the Passaic aquifer, and the four contaminated sites located within .35 miles of the proposed diversion, the recommendation made was that water diverted for irrigation of horticultural crops under an agricultural registration be 3.1 mgm. This was deemed more appropriate for the Holcombe property. The original plan for the property was to divert 300 mgm. Mrs. Urbanski noted that if SADC has known about the 4 sites, they would have either not purchased the property or would have paid less for it.

The situation on the Case farm is similar to Holcombe in that the diversion was reduced to 3.1 mgm as there was no proof concerning adverse impact on area wells. If any purchaser of the property wants more, an aquifer test and proof of negative impact on neighboring wells will be required. If a negative impact is found, action will be taken to curtail use.

**Hartford Release** – Attorney Faherty relayed that The Hartford is waiting for a decision on the type of release. A full release would yield a greater recovery. The consensus of the attorneys involved is that only a limited site release be given. A resolution is required to formalize the Committee's decision. Attorney Faherty will prepare the letter.

### **RESOLUTION #54-2009**

BE IT RESOLVED by the West Amwell Township Committee that there be a limited release to Hartford.

Molnar motioned to approve the Resolution and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

**Response to Situation at 16 Williamson Lane** – Rick Reyes responded to Mayor Corboy's recent letter. Several items were listed as to why consent can not be given for the removal of the disputed fence. The issue appears to be more of an internal problem. The two letters will be forwarded to the owners of 16 Williamson Lane.

**Centex Road Dedications** – There was supposed to be a deed of easement from Calton that would be recorded but a signed copy cannot be located. Calton has offered to provide a new one. Attorney Faherty will follow up.

**Receipt of Applications for MHL/AA** – Three applications were received. Concern was raised by Mrs. Molnar and Mrs. Baldino that the salary expectations are greater than the money available. Interviews will proceed on March 11<sup>th</sup> at 4:30 p.m.

**Resolution to Enter Closed Session –**

**RESOLUTION #55-2009**

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:  
PURCHASE, LEASE OR ACQUISITION OF REAL PROPERTY  
LITIGATION
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.

Molnar motioned to approve the Resolution and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

**Solar Report** – Mr. Shapella reported that the South Hunterdon Renewable Energy Co-op held their first meeting. The two main topics were power purchase agreements for discount pricing on electricity and an energy audit of municipal buildings and schools. The BPU has 70% grants available but require a 30% local match but that there may be stimulus money available. The League is sponsoring a session on the latter. Considerable interest was expressed about finding out if solar energy is feasible. Initial discussions included finding a provider for solar panels for municipal buildings and will be a topic for further discussion at the March 30<sup>th</sup> meeting. Mr. Shapella will also reach out to the high school concerning gathering information on wind speed for a possible turbine. Several years of wind data would be needed and SHR used to have a weather station. This may be a good science class project. Mr. Shapella also requested access to last year's electric bills. Mrs. Urbanski has previously studied this and has electric usage data to share.

**NEW BUSINESS**

**Appropriation Request for Video Cameras** – Mayor Corboy requested that Lt. Bartzak and Mrs. Olsen submit an updated request to Congressman Rush Holt for this equipment. The request was due by February 23<sup>rd</sup> and was accomplished in a timely fashion.

A brief discussed ensued about the whereabouts of the speed trailer and its possible use on Goat Hill Road. The mayor will contact Lt. Bartzak.

**LOSAP Resolution** – A list of eligible fireman has been received and by law, the Township Committee has 30 days to review and request records. The Committee's decision was to accept the list as submitted and to move the resolution stage.

**RESOLUTION #56-2009**

WHEREAS the LOSAP program requires that a certified list of eligible volunteers from an emergency service organization be submitted for review by the sponsoring agency; and,

WHEREAS said required list of members eligible to receive LOSAP awards for 2008 was received from the West Amwell Fire Company; and,

WHEREAS the sponsoring agency has 30 days to review the submitted list and request any records deemed necessary to ensure that the list is accurate; and,



WHEREAS the sponsoring agency has accepted the list as submitted

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the list is hereby approved; and

BE IT FURTHER RESOLVED that a copy of the eligible member list, together with a copy of this Resolution, be returned to the West Amwell Fire Company for the 30-day required posting.

Molnar motioned to approve the Resolution and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

**COAH Spending Plan Resolution** – Mrs. Molnar and Mrs. Baldino have questions concerning the allocations and plan to meet with CFO Luhrs. Item held.

**Letter to County re: Fuel Program & Advertisement for Bids** – Deputy Clerk Haberle researched the County program, including costs. Individual vehicles would have to fill up at a local facility as there would be no delivery to Township tanks. A comparison of the pricing revealed no particular savings over our current pricing. Road Supervisor Hoagland also favors the current situation as it is more convenient. Bid packets have gone out and new bids are expected March 26<sup>th</sup>.

**ADA Training Opportunity** – The County is hosting this training that involves the legal mandates of Title II which relate to all public service agencies and municipal entities. The training will be held on April 16<sup>th</sup> at the County Complex on Route 12. Mrs. Olsen will attend.

**Letter from Tom King** – Mr. King seeks assistance and cooperation with storm water run off from a neighboring property. The situation is causing erosion to the lane that runs across his property and which is maintained by Mrs. Howell and Mrs. Miller. The assertion is that the problem is caused by the installation of a new driveway by a neighbor. All attempts to get the neighbor to address the perceived problem have met with rejection. Mr. King has checked with the Zoning Official and Construction Official—both of which stated lack of jurisdiction. The assertion is that the new driveway prevents the flow of water to Mt. Airy-Harb. Road; that no permit was taken out; that there was nothing on the site plan for it; and, no Soil Conservation inspection. Mrs. Olsen relayed that Road Supervisor Hoagland informed her that there has always been a field entrance with pipe at the site. However, the new owner has upgraded the area with stone.

Attorney Faherty referenced Chapter 109:84 (f) that might be applicable as an improvement undertaken that was not part of a subdivision or site plan. The definition of 'street' in Chapter 109 includes driveways and the neighbor should have gone to the Road Supervisor with an application, fee, plan and documents for review. The citation states that the Road Supervision may refer this to the Township Engineer. Attorney Faherty recommended that Mr. King contact an attorney to file an appropriation action as the Township's responsibility ends with the permit and fines. The Township has no involvement in correcting a water problem.

Mr. King relayed that Engineer Clerico would get involved but needed an okay from the Township Committee. Approval was given for said investigation by the Township engineer.

**Letters Concerning CMPTRA** – Mayor Corboy produced letters to be sent to the Governor, the DCA Commissioner and the Senate and Assembly budget chairs reminding them of the Township's special situation.

Molnar motioned to authorize the mayor to sign and send the letters and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

### OPEN TO THE PUBLIC

Steve Bergenfeld offered that both Rowan and Rutgers Universities do anemometer testing for wind speed for free. There's a waiting list and a 40' tower is required.

Mr. Bergenfeld also suggested that the Committee consider taxing tractor trailers being used for storage, noting that lawn sheds are assessed in other municipalities. He spoke with Assessor Gill about this and was directed to the Township Committee. The idea was well received and can be investigated.

### ADMINISTRATIVE REPORTS

#### Treasurer –

#### RESOLUTION #57-2009

WHEREAS, it has been determined by the Township Committee of West Amwell Township that the following donations to the Celebration of Public Events escrow can be refunded

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 amounts:

Applicant	Amount Refunded
Line 4, Inc.	\$50.00
Breen Color Concentrates, Inc	\$50.00
Ruggieri Precision Machine, LLC	\$75.00

Molnar motioned to approve the Resolution and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

#### RESOLUTION #58-2009

WHEREAS, N.J.S.A. 40A:4-58 permits appropriation transfers during the first three months of the fiscal year between line items of the prior year's 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:	\$ 299.00	
Tax Assessment Administration:		
Other expenses	\$ 301.00	
UCC: Other expenses	\$ 140.00	
Police Department: Salaries & wages	\$ 150.00	
Police Department: Other expenses	\$ 500.00	
Streets & Road Maintenance:		
Other expenses	\$ 750.00	
Buildings & Grounds:		
Other expenses	\$ 360.00	
Planning Board: Other expenses		\$2,500.00
Total	\$ 2,500.00	\$2,500.00

Molnar motioned to approve the Resolution and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Presentation of Bills for Approval: Molnar motioned to approve the evening's bills for payment and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Statement of Cash: As of this date there is a cash total of \$3,379,370.39 between the operating and capital accounts.

**Construction** – The February 2009 Permit Fee Log Detail, Monthly Activity Report for Permits, the Payment Audit Report, the Monthly Activity Report for Certificates and the Certificate Log Detail were received for PermitsNJ.

**Zoning Officer Report** -- The February 2009 report of activities was received. Numerous phone calls, office visits, interpretations and site visits were noted. Two permits were issued.

**Police** – The January and February 2009 Monthly Reports showing 156/202 incidents, 82/70 summonses and 1/0 warnings, respectively, were received.

Molnar motioned to accept the Treasurer, Construction, Zoning and Police reports and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

*The Committee entered their previously approved Closed Session at 9:18 p.m., returning at 9:52 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 9:52 p.m. on motion from Molnar, seconded by Masterson.

Respectfully submitted,

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Lora Olsen, RMC  
Township Clerk