

WEST AMWELL TOWNSHIP COMMITTEE MEETING

March 11, 2013 - 7:00 p.m.

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 7:02 p.m. Present were Mayor Zachary T. Rich, Deputy Mayor Thomas J. Molnar, Committeeman George A. Fisher, Clerk Lora Olsen and Attorney Philip J. Faherty III. Also in attendance at various times were Nate Barson, Cathy Urbanski, Hal Shute, Nella Hamtil, Ken Hart, Porter Little, Lonnie Baldino, Randy Hoagland, Rob Tomenchok, Jeff Ent, Pat Pittore, and Shirley Skillman.

Mayor Rich 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 Hunterdon County Democrat and Trenton Times on January 2, 2013, 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.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Nate Barson led the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following item was deleted: 9.A Open Space. A Closed Session was added at the request of Mr. Molnar.

ANNOUNCEMENTS

The following announcements were made:

- Municipal Offices Closed March 29th – Good Friday
- 300th Anniversary Presentation – March 27th, 7 p.m. Township Meeting
- County Computer/Electronics Collection – April 13th, 9 a.m.-1 p.m. Rt 12 Complex
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The February 27, 2013 Regular meeting minutes were unanimously approved, with clarification under Ag Advisory, on motion from Fisher, seconded by Rich.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

Nate Barson inquired whether the soon to be de-commissioned Durango could be used for his animal control work. He would pay for his own gas thereby eliminating gas mileage reimbursement for West Amwell. The other municipalities would still be billed. The current reimbursement is \$.55/mile. Mr. Barson also relayed that Delaware Township's Durango is being released as well, noting that equipment can be auctioned or transferred to another municipal entity. The condition of the Township's vehicle, as well as other costs involved, was briefly discussed as was the number of miles currently being driven. Mr. Rich requested that a spreadsheet be e-mailed to him with quarterly bills and mileage. As for dog registration, delinquent notices are ready to be sent out. Late fees will apply. A summons will be issued thereafter if a timely response is not received.

SPECIAL PRESENTATION(S)

Municipal Alliance: Mr. Fuhr was not in attendance

Community Energy Aggregation – The presentation by Simec was a no-show.

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Introduction: Ordinance 3, 2013

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

**TOWNSHIP OF WEST AMWELL
CALENDAR YEAR 2013
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of West Amwell in the County of Hunterdon finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee of the Township of West Amwell hereby determines that a 3.5 % increase in the budget for said year, amounting to \$80,781.71 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee of the Township of West Amwell hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of West Amwell, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Township of West Amwell shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.5 %, amounting to \$34,620.73, and that the CY 2013 municipal budget for the Township of West Amwell be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Fisher moved to introduce the Ordinance on first reading and Rich seconded. Motion carried unanimously. The public hearing will be held March 27th.

STANDING COMMITTEE REPORTS

Finance Advisory

- Authorization to Post January 10, 2013 Minutes to Website: Approved

UNFINISHED BUSINESS

Possible Appointments – None

Updates – 1) Mr. Rich reported that the **insurance** contact will not quote as the Township's term is not yet due. 2) An effort to move the **SHREC** solar array was nixed by SADC because of wetlands. As to a question about whether there is any 'wiggle' room for siting the array to allow for better farm use, Mr. Fisher responded in the negative as well. His stance is that the Township is in a position to receive a payment from Swan Creek, which is not the case with the farmer, although it was conceded that a corner location for the array would aid utilization of the property. There are currently three issues in play for the property—hunting, farming, and solar. 3) The Mercer County Executive has submitted a CQR Geocoding Challenge for the **Census** laying claim to the residents of the correctional facility. Mr. Fisher advised that this is what was needed and will be following up with his contact person. Whether or not Hopewell Township adopted a resolution on the matter will be determined via phone call to their clerk tomorrow. 4) Mr. Rich advised that he's been playing phone tag with John Anderson of **JCP&L** but is

optimistic that the direction under consideration will help our outage problems. 5) A letter was received confirming the County's purchase of 200 tons of our **salt** over-delivery. An invoice to receive the reimbursement will be sent out. 6) There has been no response to the latest round of advertising for the position of **MHL/AA**. The Clerk was directed to run the ad on the League's website and to reach out to Mr. Pilato to ascertain his possible continued interest.

Qscend Contract for Website Re-design – The mayor was authorized to execute the agreement on motion by Fisher, seconded by Molnar. Mr. Rich relayed that the number of e-mail boxes were increased. Mr. Gill is on board with the change and will help with the transition. Cathy Urbanski will also provide assistance with the change over.

Resolution Opposing S2364/A3553 Creating an Early Voting System in NJ -

**RESOLUTION #58-2013
Resolution Opposing S2364/A3553**

WHEREAS, Senate Bill S-2364 and Assembly Bill A3553 propose to create a system of early voting in the State of New Jersey; and

WHEREAS, the goal of accommodating voters in pursuit of greater participation in the democratic process is a worthy goal; and

WHEREAS, these bills would in reality increase workloads, add more costs to the election process, and ultimately serve to confuse voters more than it would accommodate their needs; and

WHEREAS, these bills would require for each primary and general election a public facility, except a public school, located in each municipality in an area of a high concentration of population to be open and available to registered voters starting 15 days before an election for early polling, possibly conflicting with if not pushing out other important uses for these buildings, causing inconvenience to residents; and

WHEREAS, these bills require retraining of poll workers and dramatically increased hours, as well as chain of custody requirements to protect the voting process, despite the fact that recruiting and training polls workers is already a difficult process; and

WHEREAS, these bills would increase costs to municipalities, including overtime pay for workers; and

WHEREAS, although these bills allow municipalities to request reimbursement for extra costs and provide an appropriation, the appropriation does not outline a specific amount nor dedicated funding, only that which the State Treasurer and the Director of the Division of Budget and Accounting deem necessary, and they do not outline the procedure for a municipality whose reimbursement request is denied; and

WHEREAS, the opportunity for "Early Voting" already exists in the State of New Jersey through the Vote by Mail ballot process.

NOW, THEREFORE, BE IT RESOLVED that governing body of Township of West Amwell in the County of Hunterdon does hereby oppose S2364 and A3553; and

BE IT FURTHER RESOLVED, the governing body of the Township of West Amwell does hereby call upon its representatives in the State Legislature to oppose the adoption of this bill; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to the Office of the Governor, Senate President Sweeney, Senators Gill and Whelan, sponsors of S2364, Speaker Oliver, Assemblymen Wisniewski, Diegnan, Benson, Conaway, and Coughlin, sponsors of A3553, our State Senator and Assembly representatives, the County Board of Elections, and the New Jersey League of Municipalities.

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

Award Quote for Purchase of Additional Roll Off – Porter Little, the chair of the Recycling committee was requested to weigh in on whether or not a third container was needed. Mr. Little

proceeded to overview the program in Holland Township, including facility set up, times, and what is charged. A third container was seen as needed. A brief overview of the mini-event plan was given, although who would provide hauling services has not been determined. The amount to be charged is also still under discussion. It was noted that an ordinance change is required and that the containers have to be registered with DEP.

RESOLUTION #59-2013

WHEREAS, there is a need for an additional 30 yard, standard duty, roll-off with rear door for Township operations; and

WHEREAS, quotes were solicited with the following results:

Bucks Fabricating	\$ 3,797.00 plus \$975 freight (\$4772.00)
Thompson Fabricating	\$ 4,000.00 plus \$725 freight (\$4725.00)
Conshohocken Steel	\$ 4,677.00 (delivery included)

WHEREAS, the quotes are under the bid threshold; and

WHEREAS, the apparent low quote was provided by Conshohocken Steel; and

WHEREAS, a Business Registration Certification has been received

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the quote for the specified items be awarded to Conshohocken Steel, 301 Randolph Avenue, Ambler, PA 19002

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

NEW BUSINESS

Budget Discussions with Various Department/Committee Reps – Cathy Urbanski shared that her \$650 request is more than last year's in order to pay for the printing of the approved stormwater inserts for the tax bills. She also requested that money be allocated for a secretary for the minutes, if needed. Mrs. Urbanski noted that during her 8 years as chair, she has always prepared the minutes but would like a back-up.

The order of business was re-arranged as the department/committee discussions were scheduled for later in the evening but the anticipated energy presentation collapsed the time frame.

LOSAP Resolution & Fire Company Membership Applications – Held for discussion with Jeff Ent latter in the meeting.

Follow-up Letter to Delinquent Dog Owners – A letter to dog owners who licensed their pets in 2012 but have neglected to do so as of January 31, 2013 was approved for mailing.

Quote for Network Upgrade – The administrative offices are not benefiting from Comcast business internet speeds due to old equipment, e.g., router and switch. This came to light following a repair to the Tax Collector's computer. Until internet speed is increased, the remote check deposit offered by the bank cannot be utilized. A quote from JWS was presented listing two options to upgrade the current system. Rob Tomenchok, a member of the Technology committee, volunteered his and Dave Beaumont's services to check on the current set up and check equipment prices. Mr. Rich also expressed interest in other possibilities for the provision of phone service.

Snack Shack Locks & Stone Request – A requisition for new locks for the snack shack was received. Mr. Molnar explained that these are needed to counteract the multiple keys that are floating around by the end of each year's sports season. The desire is to change to combination locks for the snack shack/announcement booth for around \$550. **Approved.**

A requisition for 200 tons of stone was received for use on the Hewitt Park driveway. Mr. Rich requested quotes be solicited that include delivery for a DGA blend from both New Hope Quarry and Trap Rock for this commodity.

Saturday Depot Coverage Discussion – The situation where there was no truck or operator on-site for last Saturday's recycling depot was reviewed and concern expressed over the employee no-show. Randy Hoagland advised that Lester Myers of Lambertville forgot to drop

the truck off per the usual arrangement and noted that the truck later blew a hose, which is being repaired. The possibility of using another employee or the DPW staff for this activity was also briefly mentioned.

Municipal Alliance Subgrant Agreement for 2013 – The mayor was unanimously authorized to execute the document on motion by Fisher, seconded by Molnar.

OPEN TO THE PUBLIC

Hal Shute inquired about when the Hewitt Park gate is to be opened as it has been locked in the middle of the day. He was advised that the park is open dawn to dusk and the police are responsible for seeing to this. However, Mr. Hoagland relayed that there is no padlock on the gate. The Clerk was requested to follow up with Captain Bartzak.

The meeting returned to Budget Discussion with Various Department/Committee Reps.

Zoning Official Lonnie Baldino presented, and reviewed, a memorandum outlining his budget requests which included office workload statistics and a salary comparison other municipalities. Mr. Baldino relayed that OE for 2013 can be reduced as the only funding required is for the Flood Plain Manager course. Due to increased workload, responsibilities, and hours required to do the job, he needs to add another night and seeks a salary increase to \$13,048. This would also be more in line with the salary paid to other zoning officials.

Rob Tomenchok, Planning Board chair, stated that this portion of the budget can be kept flat or reduced somewhat. Only one member requires MLUL training; the master plan has been put to bed for another few years; and, no applications are anticipated.

On a different topic, the Paul Cally eagle scout project should be completed within a couple weeks once the kiosks arrive. The old shed has been removed. All that will be required of the Township Committee is a sign off.

DPW Supervisor Randy Hoagland requested:

- replacement of the 1997 International dump truck. A new truck is to have a stainless steel body, automatic transmission, spreader and wing plow (\$150,000)
- new motor for the zero turn mower (\$3,000)
- \$35,000 for salt
- \$20,000 for vehicle maintenance
- a road budget as per 2012 but with additional money for the Mill Road chip seal work
- \$1000 increase per man plus a 4% raise

Mr. Hoagland relayed that he is hopeful that the remaining 180 tons of salt will get him through the year. Discussion ensued over turning George Washington Road back to dirt and stone as it is the only back road that is paved. The idea is that it would be easier to handle. The Township Engineer is to provide some numbers. Mr. Hoagland offered his willingness to try this as the road has always been a problem.

The matter of the hydraulic spill was mentioned and that something should have been thrown on it was acknowledged.

A list of DPW jobs is being assembled by the mayor and will be shared with Mr. Molnar and Mr. Hoagland.

A question was raised about the puddle in front of the firehouse. Mr. Hoagland relayed that the gutters are awful, the seams leak, and the down spout has no where to go.

Fire Company Membership Applications – Jeff Ent was consulted on the two potential members. Both were subsequently unanimously approved on motion from Molnar, seconded by Fisher.

LOSAP Resolution – Chief Ent gave an overview of the point system and how these are obtained. Records are kept and points tabulated to get to the qualifying number of 50. The program has been in place since at least 2003 and there are quite a few fire companies that offer this as an incentive.

- *Receipt of Eligible Members*: There are twelve members with enough points to be eligible for the \$1000 award for 2012.

- *Resolution*: The Committee was advised that they have 30 days to review the records, should they choose to do so. This step was not chosen and the resolution was presented for action.

RESOLUTION #60-2013

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 2012 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.

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

Chief Ent presented the Fire Company's budget for 2013. The PEOSHA requirements for maintenance, repair and equipment testing is \$20,545, minus the \$5000 received for the first time from the temporary budget. The reimbursement for the 2008 loan has a balance of \$19,402. Capital projects include replacement of Engine 26; Hunterdon County radio upgrades; and, turnout gear—both new and replacement. The County plan is to eliminate low band and phase in a 400 MHz radio band. The cost on state contract is approximately \$49,000 and will cover 15 mobiles, 28 portables and the base station. A second repeater was included but there needs to be a plan for power (generator) and access. Implementation of the new radio band is expected mid-year with full operation by the end of the year and a phase out of the low band in 2014. The radios requested are only for Fire but savings are anticipated in that the existing speakers, slings and cases can be re-used. The wiring harnesses are the same and replacements just plug in.

The 1996 KME engine slated for replacement was discussed at length as to the various investigations undertaken to bring it up to a new enough standard to re-title it as new and get another 14 years of full insurance coverage. Another idea was to use the body and fire pump, if it passes the test, on a new chassis. The cost would run \$352,522 with the unknown of the fire pump. In the meantime, there's now a State contract available and KME is a vendor. The plan is to use the '94 specifications and roll these to a new vehicle under State contract pricing. The truck meeting their needs would cost \$407,921, or a difference of over \$55,000. Mr. Ent noted that their efforts in putting together a truck came to more money than the State contract and if this went out to bid, it could mean considerable travel to inspect components. Using the State contract would also mean no specs and no bidding. There is also the possibility of doing a lease purchase on State contract, which is a 10 year program. The cost can be adjusted depending on the down payment provided. The KME pumper carries 1500 gallons of water and can also pump from a storage tank or pond. If nothing is done, money will have to expended to keep the vehicle going and, there are DEP emissions standards that have to be met. Mr. Ent also relayed that using the County for their gas works out well for them.

Shirley Skillman & Pat Pittore of the Lambertville-New Hope Ambulance and Rescue Squad presented their request for support. The squad covers most of the Township and municipal support is welcome in order to keep them going. They have paid day staff, including two EMTs, with volunteers covering 6 p.m. to 6 a.m. Although there is an improved billing process, the revenue received doesn't cover even half of the budget as they only charge for transport. The insurance companies will pay but no one is taken to collection over non-payment. The money received helps cover staff and building upgrades. A replacement ambulance is on the list for next year.

Porter Little re-joined the meeting to advise that an electronics recycling event will take place in April. The vendor for last year now has a \$100 charge and another vendor is being sought. The projected dates are April 6th and 13th, with a hold over until the 20th. A flyer will be available shortly for distribution at the Saturday depot and posting on the website.

CFO Tom Carro was summoned for a budget update. He relayed that he is currently working with Auditor Case but will put preliminary numbers together for Saturday's meeting. Not all

departments have submitted budget requests. If nothing is received, last year's numbers will be used. Another outreach for these missing requests will be undertaken. The anticipated time frame is to wrap up the budget for introduction the first meeting in April with adoption in May. DPW Supervisor Hoagland relayed that the garage at the municipal complex needs a new roof. Mr. Rich submitted requests received from the police secretary and court. Copies will be made and distributed. An e-ticket system is still being considered for a cost of \$10,000.

CLOSED SESSION

RESOLUTION #61-2013

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:

PERSONNEL

3. It is anticipated at this time that the above stated subject matter will be made public when the matter has been resolved.

4. This Resolution shall take effect immediately.

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

The meeting returned to Open Session with the following result: The mayor will handle problems with depot reliability and aspects of continuing service with those involved in the operation.

ADMINISTRATIVE REPORTS

Construction – The Permit Fee Log details (16), Tax Assessor Report-Permits (16), Monthly Activity Report-Permits, Payment Audit Report (\$9,154.00), Tax Assessor Report-Certificates (13), Monthly Activity Report-Certificates (12), Certificate Log Detail (13) were received for PermitsNJ for the month of February 2013. Deposits for January were \$8,074.00.

Court – The January 2013 monthly report was received showing a ticket total of 261 (222 local) and the receipt of \$9,767.24.

Zoning Officer Report – The February 2013 report of activities was received. Numerous phone calls and interpretations were noted, together with five issued permits. The deposits for January were \$820.00.

Website Review – Held.

The reports were unanimously accepted as filed.

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 9:38 p.m. on motion from Rich.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk

APPROVED: March 27, 2013