

WEST AMWELL TOWNSHIP COMMITTEE MEETING

March 1, 2017 - 7:30 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 7:34 p.m. Present were Mayor John Dale, Deputy Mayor Stephen Bergenfeld, Committeeman Zachary T. Rich, James Cally, Gary Hoyer, and Clerk Lora Olsen. Also in attendance were Phil Langon, Gail Brewi, Rob Tomenchok, Cathy Urbanski, Hal Shute, Housing Consultant Shirley Bishop and Attorney Tara St. Angelo. Attorney Faherty was absent.

Mayor Dale 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, 2017, 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.

FLAG SALUTE

The mayor led those in attendance in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following items were deleted: 10.C. Updates: 2, 4 & 5 (As to number 4, a letter of decision was requested within 45 days.)

ANNOUNCEMENTS

- Dog Licenses are overdue. A late payment of \$25 per dog is now assessed.
- County Hazardous Waste Day, March 11th, 9am-1pm, Rt 12 County 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 15, 2017 Regular minutes were unanimously approved on motion from Hoyer, seconded by Bergenfeld.

The February 15, 2017 Closed Session minutes were unanimously approved on motion from Cally, seconded by Hoyer.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

No one came forward. Closed.

SPECIAL PRESENTATION(S)

Reports by Department Heads

Phil Langon, Fire Prevention Official, provided an overview of the responsibilities of this position, including his involvement in the annual inspection of businesses and change of occupancy inspections for one and two family dwellings at sale or lease. Change in rental occupancy is also covered by State law although no requests for these inspections is received. Mr. Langon also requested acquisition of a software program and a laptop to assist with issuing notices, reports and record keeping. A quote for the software will be obtained and will run between \$1500-\$2000. A concern raised was the ongoing issue of parking at the high school during various events whereby fire lanes are blocked by attendees. The parking lot has been re-paved but the fire lanes were not re-labeled. A letter will go out to all parties involved in order to set up meeting to address the issues prior to the issuance of violation notices. This is not just a parking ticket but inadequate parking is an immediate hazard.

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Public Hearing: Ordinance 02, 2017 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

Proof of publication in the February 9, 2017 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the February 1, 2017 Township Committee meeting. Mr. Dale read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was closed.

The Ordinance was unanimously approved on motion by Bergenfeld, seconded by Cally.

Public Hearing: Ordinance 03, 2017 AN ORDINANCE TO AMEND CHAPTER 109
OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, HUNTERDON COUNTY,
NEW JERSEY

Proof of publication in the February 9, 2017 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the February 1, 2017 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 zoning regulations and adoption recommended. Mr. Dale read the Ordinance by title and opened the public hearing.

Hal Shute, 248 Rocktown-Lambertville Road, came forward noting that he is a member of the planning board but speaking as a member of the public. He would like the current language of 'more restrictive' changed to 'less restrictive,' citing the history of category 1 streams at the State level as there would still be enforcement of the 300 foot requirement.

Cathy Urbanski, Environmental chair, countered the previous comments noting that it is not useful to make this 'less.' The Environmental Commission review was to keep with the original intent as extensive studies have been done. The clarification in the ordinance was to keep this intent intact. She specifically noted the Alexauken in this regard and commented that Moores Creek was re-defined to a trout stream and the buffer increased to 150 feet.

Rob Tomenchok, 145 Rocktown-Lamb. Road, came forward and relayed that he is the Planning Board Chair. He noted that both Mr. Shute and Mrs. Urbanski brought up good points. However, we know what is best for West Amwell and that there is a complete lack of confidence in Trenton. His reservations were the same as those of Mr. Shute.

Hearing no further comments, the public hearing was closed. Discussion was brought back to the table.

Mr. Hoyer offered that this still presents a determination at the township level if the State changes to 'less' but it provides for flexibility if kept at 'more.'

*The Ordinance as unanimously approved as presented on motion by Cally, seconded by Dale.
Roll Call: Rich-abstain; Hoyer-nay; Cally-aye; Bergenfeld-aye; Dale-aye.*

STANDING COMMITTEE REPORTS

Open Space

- *Project Status Updates:* No update was presented.

Environmental – Sustainable Jersey Re-Certification: Mrs. Urbanski relayed that the group is working on re-certification. She and Joel Coyne are spearheading the effort and various steps are involved, including documentation and establishing a green team made up of members of various committees/boards. In the previous round this enabled the acquisition of a \$10,000 grant, which funded an easement map. Grants on various topics are available.

- *Resolution Creating Green Team:*

RESOLUTION #45-2017

Resolution Establishing a Green Team Advisory Committee

WHEREAS, the Township Committee of the Township of West Amwell strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Township Committee of the Township of West Amwell wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on "Green" issues, the Township Committee wishes to re-establish a Green Team Advisory Committee; and

WHEREAS, solar power, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Township moves to do their share to lessen the environmental impact of its operations.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of West Amwell that we do hereby establish a Green Team Advisory Committee consisting of the members The Environmental Commission along with the Chairs of the Planning Board, the Recycling, Open Space and Agricultural Advisory Committees, the Municipal Clerk and a member of the Department of Public Works.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of West Amwell that the mission of the Green Team Advisory Committee shall be to advise the Township Committee on ways to improve municipal operations with "Green" initiatives which are economically and environmentally sound.

The Resolution was unanimously approved on motion by Hoyer, seconded by Bergenfeld.

- *Sustainable Lane Use Resolution/Pledge*: Mrs. Urbanski explained the purpose of the next required resolution which is geared primarily to municipal development. After a brief discussion over the transportation component/complete streets, which goes against the master plan, increases growth and COAH opportunity, this specific paragraph was deleted.

RESOLUTION #46-2017
Sustainable Land Use Resolution/Pledge

WHEREAS, land use is an essential component of overall sustainability for a municipality; and

WHEREAS, poor land-use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space and the degradation of natural resources; and

WHEREAS, well planned land use can preserve open space, provide for adequate recreation, allow for the continued protection and use of vital natural resources, and create a community with more sustainable approaches to guiding development for the benefit of the overall community such as responsible transportation alternatives and consideration for providing choices in housing options; and

WHEREAS, given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;

NOW THEREFORE BE IT RESOLVED, We, the Township Committee of West Amwell, resolve to take the following steps with regard to our municipal land-use decisions with the intent of making West Amwell Township a truly sustainable community. As a township we have already proven our commitment to these principles as we have included them in the latest revision of our master plan and reexamination report. We have updated our land-use zoning, natural resource protection, and other ordinances accordingly. We pledge to revisit these aspects of planning in order to renew and update these aspects as needed:

Regional Cooperation - We pledge to reach out to administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions. We have already shown our commitment to regional cooperation, as West Amwell is part of a 5-municipality Alliance working to recognize and protect the Sourland Mountain region.

Natural Resource Protection - We pledge to take action to protect the natural resources of the State for environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. Further, we have completed a Natural Resources Inventory, which was updated in 2015, and which identifies and assesses the extent of our natural resources and to link

natural resource management and protection to carrying capacity analysis, land-use and open space planning. We have pledged to review and revise our Natural Resource Inventory every four years.

Mix of Land Uses - We pledge to use our zoning power to allow for a mix of residential, retail, commercial, recreational, agricultural, open space and other land use types in areas that make the most sense for our municipality and the region, particularly in crossroads areas where connector roads intersect.

Housing Options - We pledge, through the use of our zoning and revenue generating powers, to foster a diverse mix of housing types and locations, including single- and multi-family, for-sale and rental options, to meet the needs of all people at a range of income levels.

Green Design - We pledge to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible and when updating our site plan and subdivision requirements to guide development for residential and commercial buildings toward greener choices.

Municipal Facilities Siting - We pledge, to the extent feasible, to take into consideration factors such as walkability, bikability, greater access to public transit, proximity to other land-use types, and open space when locating new or relocated municipal facilities.

The Resolution was unanimously approved on motion by Hoyer, seconded by Dale.

Mr. Cally inquired about the emerald ash borer; the status of the previously proposed tree assessment; and, relayed that he heard that if trees are treated in time, 75% can live. Mrs. Urbanski advised that the assessment will take place once the trees leaf-out with the buffered area around Hewitt Park completed first. This will probably take place in May and focus on areas with liability issues. It was noted that there is already tree cutting taking place at Bald Pate.

Mr. Rich commented on parking along George Washington Road, liability issues there, and the need for signs. Park attendees should use the parking lot.

UNFINISHED BUSINESS

Closed Session –

RESOLUTION #47-2017

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

LITIGATION/AFFORDABLE HOUSING

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

4. This Resolution shall take effect immediately.

The Resolution was unanimously approved on motion by Cally, seconded by Bergenfeld.

The Township Committee entered the Closed Session at 8:17 p.m. The meeting returned to Open Session at 9:30 p.m.

Possible Appointments – Leslie Grillo was appointed Construction & Zoning Office Manager.

Updates – 1) The **construction clearance** items was held. 2) Deleted earlier. 3) The status of the **fire house generator** project is that the gas meter has been installed. JCP&L's power

shut down is scheduled for the week of March 13th. A regulator for the gas heater and internal appliances had to be installed. A concern raised by Chief Ent has been resolved. A problem with the water heater in the police department that was causing a bad odor was noted. A new, more efficient unit is proposed and Mr. Bergenfeld is following up. A request for the development of a vendor list for various fields (plumbing, roofing, etc.) was made by Mr. Rich. 4) Deleted earlier. 5) Deleted earlier. 6) The **Tilson/Verizon** representative for the ROW request is scheduled for the March 15th meeting. Developing a list of questions and what might/might not be allowed as to permits, available contracts for review, etc. was briefly discussed

Possible Quote Concerning Condition of Existing Electrical System – A quote from Onyx has not materialized but a number may be forthcoming by the end of the week per the e-mail received.

Cell Phones at Meetings; Use for Township Business; Recorded meetings, E-mails – Mr. Cally shared information concerning personal cell phone use and communication with other committee members that he learned from a recently attended League seminar. Caution was advocated as text and e-mail is covered by OPRA. Mr. Rich relayed that he cannot turn off his phone during the meeting per the previous discussion. He also stated that there's not been a problem; it is garnering attention that is not wanted; and, advised to let it go and not make a big deal of it. Mr. Deal advised that this was in response to a complaint received.

NEW BUSINESS

Salary & Wage Resolution

RESOLUTION #48-2017

BE IT RESOLVED by the Township Committee of the Township of West Amwell that the salary and compensation for the following employee shall be as follows for 2017:

Position	Salary/Compensation
Construction & Zoning Office Manager Grillo	\$27.44/hr
<i>(on adoption & publication of Ordinance 02, 2017)</i>	

BE IT FURTHER RESOLVED that this Resolution be effective as of March 9, 2017

The Resolution was unanimously approved on motion by Cally, seconded by Bergenfeld.

OPEN TO THE PUBLIC

There was no public in attendance at this time. Closed

ADMINISTRATIVE REPORTS

Tax Collector –

RESOLUTION #49-2017

REDEMPTION TAX SALE CERTIFICATE

WHEREAS there has been a redemption made for Tax Sale Certificate #201406, Block 23, LOT 22 and Q lot, sold on October 14th 2014 to Ridgeback Ventures LLC and,

WHEREAS the amount of \$43,889.60 has been collected from Ahsan Zafar, the owner of this property for the redemption of this Tax Sale Certificate #201406,

THEREFORE, BE IT RESOLVED that a check in the amount of \$43,889.60 be prepared and the Mayor, Treasurer and Clerk be authorized to sign this check and that this check be forwarded to:

Ridgeback Ventures LLC
PO Box 503
Mt Freedom NJ 07970

RESOLUTION #50-2017

REDEMPTION TAX SALE CERTIFICATE

WHEREAS there has been a redemption made for Tax Sale Certificate #201601, Block 11, LOT 5.06, sold on October 11th 2016 to US Bank Cust for BV002 Trust and Creditors; and,

WHEREAS the amount of \$9,565.51 has been collected from Ocwen Bank for the owner, Peter Gudath, for the redemption of this Tax Sale Certificate #201601

THEREFORE, BE IT RESOLVED that a check in the amount of \$9,565.61 be prepared and the Mayor, Treasurer and Clerk be authorized to sign this check; and,

BE IT FURTHER RESOLVED that a check in the amount of 56,100.00, which represents the amount of premium paid for Tax Sale Certificate #201601 also be prepared that these checks be forwarded to:

US Bank Cust BV002 Trust & Crdts
50 S 116th Street-Suite 2050p
Philadelphia Pa 19102

The two redemption Resolutions were unanimously approved on motion by Dale, seconded by Cally.

Court – The January 2017 monthly report was received showing a ticket total of 161 (57 local) and the receipt of \$\$6,410.14.

Website Review – no action

The preceding report was received without comment.

Mr. Bergenfeld requested a Closed Session at 10:02 p.m.

RESOLUTION #51-2017

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:

PUBLIC SAFETY

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

4. This Resolution shall take effect immediately.

The Resolution was unanimously approved on motion by Rich, seconded by Bergenfeld.

The meeting returned to Open Session at 10:07 p.m.

Mr. Rich inquired about budget status. He was advised that it is being reviewed by the Finance committee. Also mentioned was whether there was any word on the basement addition. Mr. Dale was not aware of same.

Mr. Cally and Mr. Hoyer engaged in an additional exchange over paperwork for the upcoming Tilson presentation, noting that the attorney was to research the ability to utilize a master licensing fee.

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 10:15 p.m. on motion from Hoyer.

Respectfully submitted,

Lora Olsen, RMC
Township Clerk

APPROVED: March 15, 2017