

# **WEST AMWELL TOWNSHIP COMMITTEE MEETING**

**March 6, 2019 - 7:30 p.m.**

## **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 Deputy Mayor Gary Hoyer, Committeemen Stephen Bergenfeld, James Cally and John Dale along with Township Clerk Maria Andrews and Attorney Philip J. Faherty, III.

Deputy Mayor Hoyer 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 10, 2019, 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 Township Clerk.

## **FLAG SALUTE**

Deputy Mayor Hoyer led those in attendance in the pledge to the nation's flag.

## **AGENDA REVIEW BY TOWNSHIP CLERK**

Township Clerk Andrews noted there were no changes to the posted agenda.

## **ANNOUNCEMENTS**

- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During the Meeting

Deputy Mayor Hoyer thanked Harry Heller and the Office of Emergency Management, Ryan Rollero and the West Amwell DPW Department and everyone else from the Township who had a hand in providing excellent coverage during the last storm.

## **PRESENTATION OF MINUTES**

A motion by Dale, seconded by Cally to approve the Township Committee's 2/20/19 Open Session minutes with no revisions noted was approved by voice vote with Mr. Hoyer abstaining.

A motion by Cally, seconded by Bergenfeld to approve the Township Committee's 2/20/19 Closed Session minutes with no revisions noted was approved by voice vote with Mr. Hoyer abstaining.

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

Deputy Mayor Hoyer opened the floor to public comment. Dave Beaumont of 205 Rock Road West came forward and also thanked OEM and the DPW for their excellent storm coverage. Mr. Beaumont then asked if anyone from the Township Committee would be interested in being a liaison to the subcommittee meeting to discuss the Township website and a possible change in the web host service. Deputy Mayor Hoyer volunteered to be the liaison. Lastly, Mr. Beaumont expressed safety concerns at the Township's recycling depot noting he believes the concrete barrier next to the recycling bin is very dangerous. The Committee commented that they would ask SWAC Coordinator Rollero to check into this matter

Seeing no other members of the public come forward, Deputy Mayor Hoyer closed the floor to public comment.

## **SPECIAL PRESENTATIONS**

### **Reports by Department Heads**

Ryan Rollero, SWAC Coordinator came forward and gave an update on the Township's recycling depot highlighting the following details:

1. He is currently reviewing the traffic pattern and hopes to implement additional safety mechanisms
2. He provided photo printouts depicting rust issues and thin flooring on the garbage truck. He remarked the sludge produced from garbage is toxic and will eventually become a hazardous situation if it begins leaking from the truck. He explained he would like to use

this particular truck for hauling large bulk items and suggested the Township consider holding a clean-up day. It was noted the Committee must schedule this per the ordinance and a date of 4/27/19 was discussed.

3. Details on the depot were provided indicating 31 residents went through the depot within 18 minutes of opening last Saturday with 91 cars entering between 9:15 AM and 10:15 AM. SWAC Coordinator Rollero stated he wants to open the depot on Wednesday evenings to try and mitigate the crowds. He is considering starting this the first week of April from 3:00 PM – 7:00 PM.

Deputy Mayor Hoyer asked about staffing. SWAC Coordinator Rollero explained he will be adding his DPW staff on a rotating schedule to cover the additional depot hours.

Emergency Management Director Harry Heller came forward and provided a storm coverage update. He noted between March 25th – March 28th there were approximately 600 homes in the township without power and 5 roads were closed. Deputy Mayor Hoyer asked if JCP&L prioritizes their response in terms of heavily wooded areas or those exclusively serviced by private well and septic. Mr. Heller stated JCP&L seems to address the areas with the “biggest bang for the buck” first.

Mr. Bergenfeld asked if the Township is legally allowed to send JCP&L a bill for the Police overtime to have officers standing over their downed live wires. It was noted for the record that the Committee directed Attorney Faherty to file another complaint with the BPU.

With regard to garbage and recycling, Mr. Heller remarked Lambertville charges \$50 for a “hopper” load which is anything that fits into the back disposal section of the garbage truck. He suggested this may be something to think about implementing in West Amwell. Additionally he suggested a “fish eye” mirror be installed at the depot in the area of the barn for better traffic safety on the sight.

As Chief of the Rescue Squad Mr. Heller noted there were 283 calls in 2018 requiring assistance with fall victims, motor vehicle accidents, sick people, water rescues and stand-bys at fires. He provided the following percentage breakdown by town:

West Amwell Township: 14.4%  
City of Lambertville: 32%  
New Hope: 19%  
Solebury Township: 17%  
East Amwell Township: 2.6%  
Kingwood Township: 1.4%

#### **INTRODUCTION/PUBLIC HEARING ON ORDINANCES**

**Public Hearing: Ordinance 1, 2019 – AN ORDINANCE TO AMEND CHAPTER 109, SECTION 109-13 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY: *Amendment of Zoning Fees***

Deputy Mayor Hoyer read Ordinance 1, 2019 by title.

#### **Ordinance 1, 2019**

#### **AN ORDINANCE TO AMEND CHAPTER 109, SECTION 109-13 AND CHAPTER 6, SECTION 64-3 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY Amendment of Zoning Fees**

WHEREAS, the Township Zoning Official has recommended to the Township of West Amwell, County of Hunterdon, State of New Jersey, that certain zoning fees be amended;

NOW, THEREFORE BE IT ORDAINED by the Township Committee of the Township of West Amwell, County of Hunterdon, State of New Jersey, as follows:

**Section 1** Chapter 109, Section 109-13 (F) Zoning Fees is amended as follows:  
**(1) Non-Residential**

- (c) Additions, accessory buildings, generators, solar panels, office trailers, retaining walls, etc. \$100

**(2) Residential**

- (i) Decks, driveways, fences, finished basements, flag poles, fuel tanks, gazebos, generators, hot tubs, interior alterations, pools and pool houses, retaining walls, sheds, signs, solar panels, etc. \$50
- (j) Clothing bins (annually) \$50
- (k) Accessory dwelling units (includes deed restriction recording fee) \$400

**(3) Tents**

- (a) Temporary activity fee, itinerant sales special event permit \$30

**Section 2** Chapter 64 (Clothing Bins), Section 64-3 (Permit required), Subsection (A)(3) is amended to reflect that the permit fee for clothing bins shall be \$50 annually.

**Section 3**

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

**Section 4**

This Ordinance shall become effective upon final passage and publication according to law.

BY ORDER OF THE TOWNSHIP COMMITTEE

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Gary Hoyer, Deputy Mayor

Attest:

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Maria Andrews, Township Clerk

A motion by Bergenfeld, seconded by Cally to open the public hearing on Ordinance 1, 2019 was unanimously approved by roll call vote.

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

Seeing no members of the public come forward, a motion was made by Bergenfeld and seconded by Dale to adopt Ordinance 1, 2019 upon said introduction, consideration and now final reading. The motion was unanimously approved by roll call vote.

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

**Introduction: Ordinance 4, 2019 – AN ORDINANCE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, APPROPRIATING \$39,000 FROM THE CAPITAL IMPROVEMENTS FUND FOR THE PURCHASE OF POLICE AND FIRE EQUIPMENT**

Deputy Mayor Hoyer read Ordinance 4, 2019 by title.

**ORDINANCE 4, 2019**

**ORDINANCE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, APPROPRIATING \$39,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF POLICE AND FIRE EQUIPMENT**

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

Section 1. There is hereby approved as capital projects within the Township of West Amwell not to exceed the costs as noted below:

Police	Live Scan Electronic Fingerprint Machine	\$ 27,000.00
Fire	Turnout Gear	<u>12,000.00</u>
TOTAL _____		<b><u>\$ 39,000.00</u></b>

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

I hereby certify that the attached ordinance is a true and correct copy of an ordinance entitled ***ORDINANCE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, APPROPRIATING \$39,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF POLICE AND FIRE EQUIPMENT.***

which was introduced at the meeting of West Amwell Township Committee on March 6, 2019 and adopted at the meeting of the West Amwell Township Committee on \_\_\_\_\_.

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

A motion by Bergenfeld, seconded by Cally to introduce Ordinance 4, 2019 on first reading was unanimously approved by roll call vote.

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

It was noted for the record that the public hearing for Ordinance 4, 2019 was set for 4/3/19.

#### **STANDING COMMITTEE REPORTS**

**Open Space** – No report was given.

**Environmental** – No report was given.

**Ag Advisory** – No report was given.

**Finance Committee** – No report was given.

#### **UNFINISHED BUSINESS**

##### **Re-location of Police HQ to Municipal Building Basement**

Mr. Bergenfeld commented that the framing has been completed.

##### **PennEast Update**

Mr. Beaumont noted that PennEast had filed something regarding lines in Pennsylvania but saw that their application was deemed incomplete. He also remarked on Bald Eagles possibly found to be nesting within the 1000 ft. right-of-way which may be an issue.

##### **Discussion: SHREC Lease Agreements Onyx, LLC – Possible Approval of Resolution #31-2019: Estoppel Certificate**

It was noted for the record that this matter will be carried to the Committee's 3/20/19 agenda as there is no update at this time.

#### **NEW BUSINESS/OTHER**

##### **Resolution: #53-2019: Opposing New Jersey's Aid in Dying for the Terminally Ill Act**

Mr. Beaumont inquired as to where this resolution came from commenting that it did not seem like something a Township Committee would get involved with. Township Clerk Andrews noted it was requested by Mayor Rich. Mr. Cally commented that he believes the way the legislation for A1504/S1072 is written, it should probably be reviewed because it doesn't appear to have enough checks and balances in place.

**Resolution #53-2019  
A Resolution Opposing A1504/S1072  
New Jersey’s “Aid in Dying for the Terminally Ill Act”**

WHEREAS, A1504 would give government bureaucrats and profit driven health insurance programs the opportunity to cut costs by denying payment for more expensive treatments while approving payment for less costly assisted-suicide deaths; and

WHEREAS, A1504 would allow family members or health care providers and others to advise, suggest, encourage or exert subtle and not so subtle pressure on vulnerable patients to request doctor-prescribed suicide, setting the stage for elder abuse and pressure on vulnerable patients; and

WHEREAS, nothing in A1504 requires that any of the patient’s requests for an assisted-suicide prescription be made in person; and

WHEREAS, under A1504, someone who would benefit financially from the patient’s death could serve as a witness and claim that the patient is mentally fit and eligible to request assisted suicide; and

WHEREAS, A1504 has no protections for the patient once the assisted-suicide prescription is filled; and

WHEREAS, A1504 gives the illusion of choice, yet it will actually constrict patient choice because while the doctor must “inform” the patient of “the feasible alternatives to taking the medication, including, but not limited to concurrent or additional treatment opportunities, palliative care, hospice care, and pain control...” being “informed” of all options does not mean that patients will have access to all options and patients may find that their insurance does not cover the “feasible alternatives,” and instead will pay for the prescription; and

WHEREAS, A1504 would allow drugs for suicide to be delivered to the patient by a third party; and

WHEREAS, A1504 would allow doctors to prescribe the deadly overdose for patients who could live for many years; and

WHEREAS, A1504 would set the stage for a patient’s doctor-prescribed-suicide death based on fear of being a burden to others; and

WHEREAS, A1504 would permit a third party to request assisted suicide for a patient without any oversight to determine the accuracy of the request; and

WHEREAS, the legalization of physician-assisted suicide gives physicians the power to decide who will be given suicide prevention and who will receive suicide assistance and is, therefore, not based on individual choice and autonomy; and

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Township of West Amwell, County of Hunterdon, State of New Jersey opposes A1504, the State’s “Aid in Dying for the Terminally Ill Act.”

BY ORDER OF THE TOWNSHIP COMMITTEE

\_\_\_\_\_  
Zachary T. Rich, Mayor

ATTEST:

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Dale approving Resolution #53-2019 was unanimously approved by roll call vote.

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

**Resolution #54-2019: Appointing L&G Planning/C. Latini as the Township Zoning Officer**

**Township of West Amwell  
RESOLUTION #54-2019  
RESOLUTION APPOINTING CHUCK LATINI, PP, AICP AS THE TOWNSHIP ZONING  
OFFICER**

**WHEREAS**, the Township of West Amwell wishes to appoint Charles Latini, PP, AICP of L&G Planning, LLC as the Township Zoning Officer for 2019; and

**WHEREAS**, Mr. Latini has been working with the Township on its Affordable Housing litigation and is very familiar with the Township of West Amwell and its philosophy and needs.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of West Amwell that Charles Latini, PP, AICP of L&G Planning, LLC is hereby appointed to a 1-year term as Township Zoning Officer, effective April 1, 2019.

**CERTIFICATION**

*I, MARIA ANDREWS, Township Clerk of the Township of West Amwell, County of Hunterdon, and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee of the Township of West Amwell, County of Hunterdon, State of New Jersey, at a regular meeting of said Committee held on March 6, 2019.*

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Maria Andrews, Township Clerk RMC  
Township of West Amwell

A motion by Bergenfeld, seconded by Cally approving Resolution #54-2019 was unanimously approved by roll call vote.

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

**Resolution #55-2019: Opposing the Diversion of 911 Fees to Non-911 Uses**

**Resolution #55-2019  
A Resolution Calling for an Amendment to the New Jersey Constitution to Stop the  
Diversion of 9-1-1 Fees to Non 9-1-1 Uses**

WHEREAS, Hunterdon County's 9-1-1 Communications Center serves all law enforcement units, volunteer fire companies and rescue squads, and other emergency responders in the County from a centralized facility, and has a long, established record of service excellence and saving lives; and

WHEREAS, the State of New Jersey collects a fee of 90 cents for each phone in the state for the purpose of providing funding to county and local 9-1-1 centers, totaling \$120 million per year, but diverts those fees to uses other than local 9-1-1 center costs; and

WHEREAS, the Hunterdon County Board of Chosen Freeholders has consistently provided funding over the years to ensure the County's 9-1-1 system is maintained with the latest technological advances, while receiving no financial support from the state 9-1-1 fund; and

WHEREAS, the dedication of 9-1-1 fees for use in supporting county and local 9-1-1 centers through an amendment to the state constitution will ensure the fees are used only as intended and prevent the diversion of fees;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of West Amwell Township, County of Hunterdon, State of New Jersey encourages the members of the State Legislature representing Hunterdon County to support a constitutional amendment ensuring 9-1-1 fees paid by the public are used for their intended purpose, to support county and local 9-1-1 centers.

Minutes – 3/6/19

*I, Maria Andrews, Township Clerk of the Township of West Amwell, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution approved by the Governing Body of the Township of West Amwell, County of Hunterdon, State of New Jersey, at their regular meeting held on March 6, 2019.*

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Maria Andrews, Township Clerk, RMC

A motion by Dale, seconded by Cally approving Resolution #55-2019 was unanimously approved by roll call vote.

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

**Discussion: Citizen's Leadership Form from L. Weber, re: Possible Appointment to Historic Preservation**

Deputy Mayor Hoyer appointed Linda Weber to the Historic Preservation Committee and designated her as the Chairwoman. The Committee expressed gratitude for Ms. Weber's interest in the Historic Preservation Committee.

**Discussion: Letter Dated 2/25/19 from AOIC Skillman, re: RRW/Corsalo Rd. Traffic**

AOIC Skillman and Director of Public Works and Roads Ryan Rollero had conducted a traffic study on Rock Road West and Corsalo Road at the request of the Township Committee to determine whether or not additional signage was needed.

AOIC Skillman's report indicates that since January 2018 there have been zero motor vehicle accidents on either road and he believes the posted speed limit signs on Rock Road West are adequate.

With regard to Corsalo Road, there are no posted speed limit signs and under the Township Ordinance, any road unposted is automatically designated as 25 mph. AOIC Skillman suggested speed limit signs be posted in the location of Rock Road West and Route 518.

Deputy Mayor Hoyer commented that he believes 25 mph on Corsalo is too slow and suggested the speed limit be 30 mph which is consistent with Rock Road West. Mr. Bergenfeld explained that AOIC Skillman suggested the 25 mph speed because that would not require an amendment to the current ordinance. He noted any other posted speed limit will require the Township to adopt a new ordinance.

Mr. Beaumont came forward and provided the Committee with a map of where he believes speed limit signs should be posted. He discussed safety concerns and proposed locations based on equal distances between signage and suggested a yield sign be included at the location of where Rock Road Ext. joins Rock Road West. Mr. Beaumont referred to inconsistencies within Township Ordinance 12-1992 and suggested ways to address them.

It was noted for the record that the Committee recommended Township Clerk Andrews forward Mr. Beaumont's map of suggested speed limit sign locations to AOIC Skillman and Roads Director Rollero for review and implementation.

**Discussion: Medical Reimbursement Stipend vs. State Dental Plan Coverage**

It was noted for the record that this matter will be carried to the Committee's 3/20/19 agenda for discussion.

**ADMINISTRATIVE**

**Treasurer:** It was noted for the record that the 2019 Budget is scheduled for introduction at the Committee's 3/20/19 meeting.

**CORRESPONDENCE**

The Committee ordered the correspondence listed on the agenda, filed.

**ADJOURNMENT**

Deputy Mayor Hoyer adjourned the meeting at 9:25 PM.

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Maria Andrews, Township Clerk, RMC

Approved: 3/20/19