

WEST AMWELL TOWNSHIP COMMITTEE MEETING

November 27, 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 7:28 p.m. upon the arrival of Committeeman Dale. Present were Mayor Zachary T. Rich, Deputy Mayor George A. Fisher, Committeeman John Dale, Clerk Lora Olsen and Attorney Philip J. Faherty III. Also in attendance were Cathy Urbanski, Hal Shute and Nate Barson.

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

The mayor led the assembled group in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following items were added: 9.A. Open Space minutes for September & October.

ANNOUNCEMENTS

The following announcements were made:

- Municipal Offices Closed for Thanksgiving – Nov 28th & 29th
- Next Regular Township Committee Meetings – December 9th & 30th
- Municipal Offices Closed for Christmas – Dec 25th & 26th
- Town Hall Meeting on School Regionalization – Dec 3rd, 7 p.m., @ SHRHS
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The following meeting minutes were unanimously approved on motion from Fisher, seconded by Rich.

October 29, 2013 Regular Meeting

October 29, 2013 Closed Session (*Contract Negotiations; Personnel; Potential Litigation*)

Attorney Faherty relayed that the following Closed Session minutes could be released:

08/29/12 Contract Negotiations-Police	09/13/12 Contract Negotiations-Police Lt.
12/10/12 Contract Negotiations-Police	12/10/12 Litigation-Garden Solar
12/19/12 Personnel-Interviews #1	12/19/12 Personnel-Interviews #2
12/19/12 Personnel-Interviews #3	12/19/12 Personnel-Interviews #4
12/27/12 Contract Negotiations/Prof Serv	12/27/12 Conditions of Employment
01/14/13 Contract Negotiations	01/14/13 Purchase, Lease or Acq. of Real Property
01/23/13 Contract Negotiations	01/23/13 Purchase, Lease or Acq. of Real Property
02/11/13 Purc., Lease or Acq. of Real Prop	03/11/13 Personnel
03/27/13 Purc., Lease or Acq. of Real Prop	04/08/13 Contract Negotiations
05/13/13 Personnel #1	06/26/13 Personnel #1
06/26/13 Personnel #2	06/26/13 Personnel #3
06/26/13 Personnel #4	07/29/13 Personnel-Interviews #1
07/29/13 Personnel-Interviews #2	07/29/13 Personnel-Interviews #3
07/29/13 Personnel #1A	08/15/13 Personnel-Interviews-Police Secretary #1
08/15/13 Personnel-Interviews-Pol Sec #2	08/15/13 Personnel-Interviews-Police Secretary #3
08/15/13 Personnel-Interviews-Pol Sec #4	08/15/13 Personnel-Interviews-Police Secretary #5
08/15/13 Personnel-Interviews-Police Secretary/Construction Assistant #6	
08/15/13 Personnel-Interviews-Police Secretary/Construction Assistant #7	
08/15/13 Personnel-Interviews-Police Secretary/Construction Assistant #8	
08/15/13 Personnel-Interviews-Police Secretary/Construction Assistant #9	
08/15/13 Personnel-Interviews-Police Secretary/Construction Assistant #10	
08/15/13 Personnel-Interviews-Police Secretary/Construction Assistant #11	
08/15/13 Personnel-Interviews-Zoning Official #12	
08/15/13 Personnel-Interviews-Zoning Official #13	
08/15/13 Personnel-Interviews-Zoning Official #14	

08/15/13 Personnel-Interviews-Zoning Official #15
08/15/13 Personnel-Interviews-Police Secretary/Construction Assistant #16
08/15/13 Personnel-Interviews-Zoning Official #17
08/15/13 Personnel-Interviews-Police Secretary/Construction Assistant #18

Fisher motioned to approve the release of the foregoing Closed Session minutes, with Dale providing the second. Motion carried unanimously.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

No public came forward.

SPECIAL PRESENTATION(S)

Stormwater Training for Elected Officials: Cathy Urbanski overviewed stormwater pollution concerns whereby runoff from the ground enters storm drains and ultimately the rivers which, in turn, take a toll on drinking water. Suggestions such as keeping litter out of storm drains, using less fertilizer, cleaning up after pets, etc. where noted. Some steps that have been taken by the Township to help minimize problems include utilizing the 319h grant to identify problems to be addressed, adopting ordinances for stream corridors and buffers, stormwater, and soil removal. Stormwater information is available on the Township website and a flyer was enclosed with the July tax bills. Mrs. Urbanski relayed that she has received good feedback from the latter and that a different flyer topic is planned for next year's mailing. She also inquired about the labeling of inlets and requested that the DPW Supervisor be contacted as to status. Committeeman Dale was presented with a CD containing pertinent information/best management practices and a bulletin from ANJEC on stormwater management. (This information was previously distributed to Mr. Fisher and Mr. Rich at last year's training.) Mrs. Urbanski reviewed the point system and declared that the Township has enough points for compliance.

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Public Hearing: Ordinance 16, 2013 AN ORDINANCE TO AMEND ORDINANCE 1, 2013 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 November 7, 2013 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the October 29, 2013 Township Committee meeting. Mr. Rich read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was unanimously closed.

The Ordinance was unanimously adopted on motion by Fisher, seconded by Rich.

STANDING COMMITTEE REPORTS **Open Space**

- *Proposed Auction Resolution for Block 8 Lots 20 & 36 (Toll S):* Hal Shute offered that the revised resolution looks good. He anticipates having a plan for property marketing ready for the next meeting.

RESOLUTION #171-2013
(See attached)

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

- *Hunter Property & Possible LOI:* Mrs. Urbanski spoke about the e-mail exchange with Brian Steeg concerning testing on the Hunter property that wraps around his land for the purpose of identifying the two acre exception area for the building lot. The Township has a conservation easement on the entire 35 acre Hunter property but work is being done without the benefit of a LOI, e.g., cutting trees and digging for perc. She presented a map with delineated wetlands on an adjoining parcel; noted the proximity of Moores Creek; the 150 foot buffer requirement; and, the existing conservation easement on the Hunter property. According to Mr. Shute, the Planning Board has to approve the location of the two-acre exception area. A brief discussion ensued about the LOI and responsible party for same—the project engineer—who would prepare and submit to DEP. Concern was also raised about possible Planning Board approval of a building site that might subsequently be found to contain wetlands. However, it was also noted that although the assumption was made that there would be a spot on the property for a building site, there is no promise in the easement language that one could be located. The consensus of the Committee was to not take any action.

- *Property Status Updates*: Mr. Shute relayed that no change on the **Toll North** property was reported at the recent CADB meeting but that one appraisal has been received. However, now the Toll attorney wants a signed release prior to obtaining the second. A meeting with the **Lambert** daughters went well; the project will move forward; and, has been accepted by the County. The Township now has two farms in this funding round, the second being **Ziegenfuss**. Mr. Shute relayed that there are only 15 approved applications County-wide, so the funding is there. The next step with the **Wooden** property is to add it to the ROSI.

- *Authorization to Post September 10, 2013 & October 8, 2013 Minutes to Website*: Approved

Environmental

- *Authorization to Post October 10, 2013 Minutes to Website*: Approved

- *319h Grant Update*: Mrs. Urbanski relayed that a conversation with Orleans over a year ago concerning mitigating the detention basin problem is now mute as a letter was received from the homeowner association that the clean mowed look of the basin, instead of shrubbery, was preferred. As this is private property, the proposed project cannot be done. However, there is another basin with a conservation easement owned by the Township and Princeton Hydro has proposed street scaping to control run off. Unfortunately, the conservation easement document has yet to be located. Mr. Rich inquired about the possibility of Calton development basins but as these are outside the study area, it may not be possible. SHR's project has been planted and a sign is coming for the rain garden. The dam de-commissioning will be the big project.

- *Sustainable Jersey Grant Update*: The grant money was spent on the map but the project went \$186 in the hole. To assist, Ag Advisory allocated money from their budget for the trifold. The project is almost finished. Mrs. Urbanski further relayed that she will need to be trained on the GIS program and that a stewardship plan for easements has to be developed.

- *"After the Bell" Program at WA Elementary*: This is a 'nature lover' club with projects for kids. It will run on Wednesdays for six weeks starting in January. Justin Holohan is in charge with sponsorship by the Environment Commission.

Finance Advisory

- *Authorization to Post October 2, 2013 Minutes to Website*: Approved

UNFINISHED BUSINESS

Animal Control – Mayor Rich questioned ACO Nate Barson concerning health benefits, mileage and the resolution being circulated about the County taking over animal control. Mr. Barson commented on the latter in that he is not familiar with other counties that handle animal control. Mostly this is something done through the sheriff's office to protect its employees. He further commented that this is something that would be up to the County to decide and is not something that municipalities can force them to do. However, if the County elects to do this, it would be several years away and the level of service to be administered would be up to them, not the municipalities, to decide. A lengthy discussion ensued over the issue of health benefits; the part-time or full-time status of the position; coverage by someone other than the employee; the need for that line to be clear; and, utilizing a RFP to hire out the services. It was also relayed that the Township cannot pick up the cost of health benefits without the other three municipalities involved kicking in. Mr. Barson indicated that he is not opposed to a contract/professional services situation but noted that the price would increase due to taxes and related costs. The issue of timing, considering that it is almost the end of the year was noted. Mr. Barson was requested to work up some numbers for a contract situation for West Amwell alone as well as one to include all four municipalities. Mr. Rich will work on the RFP.

Possible Appointments – Mr. Rich made the following mayoral appointments:

Planning Board, Class II – Nella Hamtil – unexpired 1 year (12/31/2013)

Alt #1 – Bob Balaam – unexpired 2 year (12/31/2013)

Alt #2 – James Cally – unexpired 2 year (12/31/14)

Zoning Board, Alt #2 – Frank Sabatino – unexpired 2 year (12/31/2014)

Appointment unanimously approved.

Citizen Leadership forms will need to be completed by those new to Township affairs.

The Department/Committee liaison list was reviewed and unanimously determined that Mr. Dale take over the responsibilities formerly assigned to ex-committeeman Molnar as well as the Environmental Commission. A question was raised about the status of the Affordable Housing Board and the Community Forestry committee but the decision was to keep them in limbo for the time being.

Updates – 1) Mr. Fisher advised on **SHREC** negotiations on the PPA contract. There was a recent meeting with Attorney Blank where changes were reviewed. Attorney Blank is to speak with Brad Campbell as to that discussion. Mr. Campbell in turn is to speak with Marina, the financial arm of a South Jersey utility, as they are the driver of the term changes. Without a **PPA**, a lease agreement is irrelevant, so there is nothing to sign this evening. No payment can be received until the lease is done and the turmoil is due to Mr. Campbell. The ball is in his court. All that can be done at this time is to sit and wait while the attorneys hash things out. If there is no agreement, then SHREC will have to determine direction. Mr. Rich requested that the Township Engineer review the documents but was advised that Mr. Roseberry is the SHREC's engineer. The lease was written by Attorney Faherty and Mr. Campbell had signed it immediately. The proposed changes, as flagged by Attorney Faherty, to the original lease were then reviewed. These included the reduction in years from 20 to 15; the right of first refusal; and Exhibit B. The first item has no downside and Attorney Blank is okay with it. It was speculated that this change may have something to do with the financing. The second item will require a change to page 15 of the original document and it was noted that the change would mean that West Amwell would not retain first refusal rights. A change in the terminology from 'hazardous material' to 'environmental condition' was not seen as a problem. The last item, Exhibit B, is for location only, which has not been totally nailed down. Mr. Fisher commented that the original lease covered the entire property and that the 5.5 +/- acres on Exhibit B was to cover what is eventually rented. Attorney Faherty noted that it will be important to acquire and attach the Exhibit B. Mr. Fisher continued that the project is Mr. Campbell's baby and that the exposure to the Township is the leased field. Still to be determined is the position of the grammar school. The **aggregation** project is moving along although there has been no recent correspondence. 2) No report on **generators**. 3) Raritan Valley Disposal was engaged to remove and dispose of the **cleanup day** debris. A letter was received from Delaware Township offering their services for this work at a rate of \$166.85/hr. but was not accepted. 4) The mayor has signed the contract for George Washington Road work and the document has been distributed. The performance bond has been reviewed and approved by Attorney Faherty. The mayor noted that this is to be 'winter' work once the asphalt plants close. 5) In order for the DPW crew to demo the house on Belvidere, there needs to be a way to get the dumpsters to and from the property as well as the transfer station. Equipment will need to be rented and a demo permit acquired. The MCO has advised that the foundation must be removed; the septic abandoned; and, the well capped. A ballpark quote from an outside vendor will be solicited once specs are developed. Mr. Rich suggested that River Front Recycling in South Jersey be contacted for a quote. It was also noted that Mr. Rose has expressed interest in obtaining the property for his daughter.

Resolution Awarding Roofing Quote for Municipal Property Garage –

RESOLUTION #172-2013

WHEREAS, the roof of the municipal building garage is in need of removal and replacement; and

WHEREAS, quotes were solicited and received as follows:

Strober-Wright Roofing Inc.	\$4950 - Plus replacement of damaged plywood @ \$2.50/square foot
J. Strober & Son	No response
G. Strober	No response
Masterson	Does not do metal roofs
Alvater Construction	No response

WHEREAS, the quotes are under the bid threshold; and

WHEREAS, the apparent low quote was provided by Strober-Wright Roofing, Inc. and a Certificate of Insurance will be required prior to the start of any work; and

WHEREAS, the CFO has certified that funds are available for this expenditure; and

WHEREAS, a Business Registration Certification has been received

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the removal and replacement of the roof of the municipal complex garage be awarded to Strober-Wright Roofing, Inc.

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

Auction of Vehicle –

RESOLUTION #173-2013
(Amending Resolution #157-2013)

BE IT RESOLVED that Resolution #157-2013 is hereby amended to read that the vehicle to be auctioned is a **2006 Ford Crown Victoria**

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Department of Community Affairs, Director of the Division of Local Government Services.

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

NEW BUSINESS
2014

- Resolution Setting Re-organization Date/Time:

RESOLUTION #174-2013

BE IT RESOLVED that the West Amwell Township Committee will hold its Annual Reorganization meeting on January 6, 2014 at 7:00 p.m.

BE IT FURTHER RESOLVED that the Reorganization meeting be held in the municipal building located at 150 Rocktown-Lamb. Road, West Amwell, New Jersey. The public is invited to attend.

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

- *Receipt of Auditor Proposals for 2014:* Three proposals were received. The consensus of the Committee was to go with Anthony Ardito of Ardito & Co, LLP at \$17,500 for January appointment.

- *Interviewees & Date:* The decision was made not to interview but to go with the lowest dollar proposal. An application for substitute recycle/trash worker was received from Thomas Burd, Jr. As there is a need for a dependable alternate, Mr. Burd was appointed to this slot.

- *Professional Services List:* Current listing was approved for 2014. Letters will be mailed out.

- *Continuation with Covanta for Garbage Disposal:* The current agreement expires in late December. The new agreement has yet to be received but no change to current vendor was indicated.

Police Department Equipment

- *State Purchasing Resolution:*

RESOLUTION #175-2013

WHEREAS, the Township of West Amwell, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.20 ©), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of West Amwell has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Township of West Amwell intends to enter into contracts with the attached Referenced State Contract Vendor(s) through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Township of West Amwell authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Township of West Amwell pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contract(s) between the Township of West Amwell and the Referenced State Contract Vendor(s) shall be from November 27, 2013 to December 31, 2013.

<u>Commodity/Service</u>	<u>Referenced State Contract Vendors Vendor</u>	<u>State Contract #</u>
--------------------------	---	-------------------------

Rifles	Atlantic Tactical 763 Corporate Circle New Cumberland PA 17070	A81297
--------	--	--------

Streamlight lights	As above	A81329
--------------------	----------	--------

Bail out Bags & Accessories	As above	A81360
--------------------------------	----------	--------

MVD-FB2DVS-2 Mobile Video Camera Various accessories	L3 Communications 90 Fanny Road Boonton NJ 07005	A81311
--	--	--------

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

- Purchase Authorization Resolution:

RESOLUTION #176-2013

WHEREAS, there is a need to purchase various pieces of equipment for the police department of the Township of West Amwell, in the County of Hunterdon, State of New Jersey as follows

- 1) 4 Smith & Wesson MP AR15T Rifles
Streamlight lights with switch \$3,527.68
- 2) 5 Bail out Bags tourniquets
Military Fak, Lancer AR-15 Magazines,
Condor sling, Plano Hard cases \$1,206.94 (\$4,734.62)
- 3) MVD-FB2DVS-2 Mobile Video Camera
Including Flashback digital recorder,
Wireless microphone with transmitter,
Nite-Watch color camera, monitor \$5,700.00 (\$5,700.00)
Console, mounts, cables, hardware

; and

WHEREAS, these items can be purchased through the following State Contract vendor

Atlantic Tactical, #1 & 2 above
L3 Communications, #3 above

; and

WHEREAS, the maximum amount of the purchases is \$4,740.00 and \$5,700.00, respectively; and

WHEREAS the CFO has certified to the Township Clerk that funds are available in the Ordinance 7, 2013; and

WHEREAS, public bids are not required when the purchase is under a state contract in accordance with 40A:11-12 of the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of West Amwell, in the County of Hunterdon that the CFO is hereby authorized and directed to approve and forward Purchase Requisitions to the stated vendors for the commodities listed above.

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

- Resolution Awarding Child ID Program:

RESOLUTION #177-2013

WHEREAS, the Township Police Department is in need of Child Identification equipment; and

WHEREAS, quotes have been obtained as follows:

EZ Child ID	\$4,698.00
Sentry Kids	\$5,495.00
Safe Card ID	\$5,730.00

WHEREAS, the quotes are under the bid threshold; and

WHEREAS, the apparent low quote was provided by EZ Child ID; and

WHEREAS, the CFO has certified that funds are available for this expenditure; and

WHEREAS, a Business Registration Certification has been received

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the Child ID system be awarded to EZ Child ID, 34900 Plymouth Road, Livonia, MI 48150

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

Resolutions for Consideration

- Radon Resolution/Proclamation:

**RESOLUTION #178-2013
PROCLAMATION**

WHEREAS, radon is a naturally occurring radioactive gas that is the second leading cause of lung cancer, causing as many as 500 lung cancer deaths annually in New Jersey; and

WHEREAS, elevated radon levels are found in many homes and pose a serious health threat to families residing in these homes; and

WHEREAS, any home may have high levels of radon -- even if neighboring homes do not; and

WHEREAS, radon testing is easy and inexpensive -- and elevated levels of radon can be effectively reduced at the cost of a typical home repair; and

WHEREAS, a significant number of homes in West Amwell Township have elevated levels of radon;

WHEREAS, by mitigating homes with radon concentrations at or above 4 pCi/L in New Jersey, 140-250 lives are saved annually.

NOW, THEREFORE, I, Zach Rich, Mayor of West Amwell Township, on behalf of the West Amwell Township Committee and residents of West Amwell Township, do hereby proclaim the month of January 2014, as

RADON ACTION MONTH

in the Township of West Amwell and call upon all residents who have not yet tested to test their homes for radon and to reduce radon levels if elevated levels are found, to protect their families from the serious health risk of radon.

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

- County Provided Animal Control Services:

RESOLUTION #179-2013

*Resolution Requesting that the County of Hunterdon Undertake the
Animal Control Officer Responsibilities for Hunterdon County Municipalities*

WHEREAS, the County of Hunterdon is composed of 26 municipalities whose populations range in size from the smallest, Stockton Borough, with a population of 538, to the largest, Raritan Township, with a population of 22,185; eight of the municipalities in the County have a population of under 2,000 and 22 of the 26 municipalities have a population of under 6,000. Accordingly, the vast majority of municipalities in Hunterdon County are smaller ones which do not have large administrative staffs; and

WHEREAS, notwithstanding the size of the majority of municipalities in the County, N.J.S.A. 4:19-15.16 requires the governing body of each municipality appoint a certified animal control officer responsible for animal control within the jurisdiction of the municipality and who shall enforce and abide by statutory requirements for such an office; and

WHEREAS, N.J.S.A. 4:19-15.16.a. establishes the certification requirements for animal control officers and mandates the establishment of rules and regulations for the training and educational qualifications for certified animal control officers; and

WHEREAS, N.J.S.A. 4:19-15.16 mandates municipalities take into custody and impound dogs and other animals which are believed to be strays, dogs off the premises of the owner, any off premises female dog in season, any dog or other animal which is suspected of being rabid, any dog off the premises of the owner judged by the certified animal control officer to be ill, injured or creating a threat to public safety or welfare; and

WHEREAS, N.J.S.A. 4:19-15.16 establishes the procedure as to how the certified animal control officer is to take into custody and impound dogs or other animals required to be collected and further provides that those animals are to be turned over to a shelter, pound or kennel; and

WHEREAS, prior to the adoption of the more demanding requirements for certification of animal control officers and the collection of animals meeting the definition of the statutory requirements, dog and other animal control activities were often carried out by humane shelters or individuals known as dog catchers; and

WHEREAS, the increased professionalism required of animal control officers has decreased the number of suitable candidates for this position; and

WHEREAS, the number of shelters which are convenient to municipal locations willing to take dogs or other animals collected by the animal control officer has diminished for various reasons; and

WHEREAS, it has become increasingly difficult for municipalities in the County of Hunterdon to fulfill their statutory responsibilities with respect to stray dogs and other animals; and

WHEREAS, the State of New Jersey has a strong policy to encourage shared services to reduce the costs of municipal services; however, there are few economic benefits to be achieved by individual municipalities sharing an animal control officer because of the nature of the service. However, significant efficiencies of scale could be achieved if a county-wide animal control officer was created; and

WHEREAS, in larger municipalities the animal control officer usually reports to the municipal health officer; and

WHEREAS, in Hunterdon County most, if not all, municipalities do not have their own health officer, but delegate the administrative responsibilities of the Boards of Health to the County of Hunterdon Division of Public Health Services; and

WHEREAS, having a countywide animal control officer(s) under the jurisdiction of the Hunterdon County Division of Public Health Services will increase professionalism, reduce the

cost of providing animal control services and provide for more efficient use of the vehicles and equipment; and

WHEREAS, it would make sense for the County of Hunterdon to create the office of animal control officer within the Division of Public Health Services, which has the experience and administrative capacity to efficiently hire animal control officers and oversee their day-to-day activities.

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

1. West Amwell Township strongly urges the Hunterdon County Board of Chosen Freeholders to initiate a study of the appropriate benefits of a County take over of the functions of the municipal animal control officer in any municipality which, by Resolution, requests that the County take over its animal control requirements; and
2. West Amwell Township requests that the State Senators and Assemblymen who represent municipalities in the County of Hunterdon, petition the State of New Jersey to provide funding for the study of a plan to have the County of Hunterdon take over the animal control responsibilities from municipalities which request that service; and
3. The Township Clerk is directed to send a copy of this Resolution to the following:
 - A. The Hunterdon County Board of Chosen Freeholders;
 - B. The Mayor and Governing Body of each of the 26 municipalities in the County of Hunterdon; and
 - C. Each State Senator and Assemblymen who represent any municipalities in the County of Hunterdon.

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

OPEN TO THE PUBLIC

There was no public in attendance at this point in the meeting. Item unanimously closed.

ADMINISTRATIVE REPORTS

Treasurer –

RESOLUTION #180-2013
(See Attached)

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

RESOLUTION #181-2013

WHEREAS, it has been determined by the Township Engineer of West Amwell Township that the following applicant's escrow fees are in excess of what was needed to cover their charges, and

WHEREAS, the Township Committee has approved a refund of the following amount;

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 amount to the applicants:

Applicant	Amount Refunded
NV Homes (Lot 15.15)	\$515.00
NV Homes (Lot 15.12)	\$297.50

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

Presentation of Bills for Approval:

RESOLUTION #182-2013

BE IT RESOLVED by the Township Committee of the Township of West Amwell that the

vouchers listed on the Bill List, in the amount of \$1,834,709.89, dated November 27, 2013, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations.

Fisher motioned to approve the evening's bills for payment, seconded by Rich, and carried unanimously.

Treasurer Report-Statement of Cash, Revenue, and Investment Report: Appropriations through November 25, 2013 were provided and reviewed.

Tax Collector – The monthly report for October 2013 was received showing receipts in the amount of \$516,642.34.

Clerk/Human Resources – None

Construction – The Permit Fee Log details (19), Tax Assessor Report-Permits (19), Monthly Activity Detail Report-Permits, Payment Audit Report (\$4,813.00), Monthly Activity Report-Certificates (10) were received for PermitsNJ.

Mr. Fisher commented on the \$89,000 of revenue to date, which is \$6000 over that of 2012 and \$30,000 over the cost of maintaining the office. Mr. Rich offered that things are better now in the office.

Court – The August, September & October 2013 monthly reports were received showing ticket totals of 287/277/320 (178/136/138 local) and the receipt of \$9,222.90/\$12,255.60/\$10,995.08, respectively.

Roads – A report on the recent mower fire was submitted by DPW Supervision Hoagland.

Police – The October 2013 Monthly Report showing 747 incidents, 131 summonses and 0 warnings was received.

Zoning Officer Report – None

Website Review – None

The Reports were unanimously received as presented.

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 9:27 p.m. on motion from Rich.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk

APPROVED: December 9, 2013

WEST AMWELL TOWNSHIP
RESOLUTION #171-2013

RESOLUTION AUTHORIZING THE SALE OF BLOCK 8, LOTS 20 and 36

WHEREAS, the Township of West Amwell ("Township"), is the owner of property and improvements known as Block 8, Lots 20 and 36 in the Township of West Amwell, consisting of approximately 130± acres along State Highway Route 179 in the Township, (hereinafter "Property") which was originally purchased together with Hunterdon Land Trust Alliance with the intention of preserving the major portion of it for farmland purposes and enrolling it in the appropriate New Jersey State Agricultural Development program, and also for creating a publicly-accessible walking trail for passive recreation purposes on a 1.733± acre portion of it; and

WHEREAS, the Property qualified for and was enrolled in the New Jersey State Agriculture Development Farmland preservation program and, in consideration for funding received from the State of New Jersey Agriculture Development Committee, the Township and Hunterdon Land Trust Alliance deed-restricted the Property for farmland preservation purposes (subject to a 2-acre non-severable exception area), granted a restriction establishing mowing obligations upon same to the County of Hunterdon in consideration for funding extended by the County and, further, recorded an easement establishing the aforementioned publicly-accessible walking trail over a 1.733± acre portion of same to be retained by the Township of West Amwell for the benefit of the public, and

WHEREAS, Hunterdon Land Trust Alliance subsequently conveyed its interest in the property to West Amwell Township by deed dated March 25, 2010 and recorded May 27, 2010 in Book 2250, Page 582; and

WHEREAS, the conveyance of the aforementioned easement to the State of New Jersey, the restrictive covenant to the County of Hunterdon for farmland preservation purposes and the establishment of the walking trail easement to be held by the Township of West Amwell resulted in preservation of the Property for the same goals and purposes as purchased by the Township, so that it is not necessary for West Amwell Township to hold the remaining fee simple interest in the land. Accordingly, the Township Committee of the Township of West Amwell does hereby determine that a fee simple interest in the property set forth in Schedule A is no longer needed for public use; and

WHEREAS, the Township is permitted to sell the aforementioned property by auction in accordance with N.J.S.A. 40A:12-13(a) and any other applicable law.

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

Section 1. The Township of West Amwell hereby declares that the property set forth above is no longer needed for public use and should be sold at public auction, subject to the easements set forth above, together with any other easements and restrictions of record.

Section 2. The public auction shall take place at West Amwell Township Municipal Building, Lambertville, NJ on March 14, 2014, or as soon thereafter as the matter may be heard and publicly announced, provided that the sale is not cancelled.

Section 3. The successful bidder shall be required to pay a minimum deposit of 10% toward the purchase price at the auction. The deposit shall be paid in the following manner: 1) prior to the start of the auction, all bidders must present a certified check or money order for at least \$20,000.00, payable to themselves which, if successful, shall be endorsed to Seller's attorney's trust account; and 2) the successful bidder shall submit a personal check or money order to the Seller's attorney's trust account for the balance of the deposit of 10% of the bid at the conclusion of the auction and shall execute a Contract of Sale. The Contract of Sale shall be binding upon the high bidder until such time as the Township Committee either (1) does not accept the bid, in which case the bidder's deposit will be returned, or (2) accepts the bid whereupon the municipality shall execute the Contract of Sale and both parties shall be held bound by the terms and conditions contained therein. The Contract of Sale shall be further contingent on the approval of the State of New Jersey State Agriculture Development Committee ("SADC") within 60 days of the auction date. In the event the SADC disapproves of same, the bidder's deposit monies will be returned. The balance of the purchase price shall be paid at closing which shall occur within ninety (90) days following the acceptance of the bid by the Township, unless the date is extended by the Township. The purchaser shall be entitled to possession immediately following closing of title.

Section 4. In the event the Township of West Amwell is unable to convey clear and marketable title, insurable at regular rates by a title company licensed to do business in the State of New Jersey, the Township shall promptly return to the purchaser any and all deposit monies previously submitted by the purchaser, and neither party shall have any further rights against the other. The acceptance of a deed by the purchaser from the Township shall extinguish any claims that the purchaser may have against the Township of West Amwell in connection with the quality of title conveyed.

Section 5. The property herein sold shall be sold subject to existing easements, including the farmland preservation easements and public access easement described above, liens, any other easements, zoning ordinances, other restrictions of record, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefitting the Property. The Township makes no representations as to the presence or absence of wetlands or any other environmental conditions on the property and the purchaser shall assume the risk of any such condition; all property shall be sold "as is".

Section 6. All conveyances by the Township shall be made by Bargain and Sale Deed with Covenants Against Grantor's Acts.

Section 7. In connection with the auction, the Township reserves the right to waive any and all defects and informalities in any bid and to accept or reject any and all bids at the public sale and to not award to the highest bidder. No bid shall be considered accepted until passage by the Township Committee of West Amwell of a resolution accepting the offer of the highest responsible bidder as set forth below.

Section 8. Acceptable bids shall be confirmed by resolution of the Township Committee no later than the first regular meeting of the Township Committee following the date of such sale or fourteen (14) days from the date of the sale, whichever is later, but shall not become effective until approved by SADC.

Section 9. On behalf of the Township Committee of the Township of West Amwell, the Mayor, Deputy Mayor, Township Clerk and Attorney, as appropriate, are authorized to prepare and sign any and all documentation necessary to effectuate the sale of the property to the successful bidder, once the contract is awarded.

Section 10. This Resolution shall constitute and serve as the public notice to be published in a newspaper circulating in the Township at least once a week for two (2) consecutive weeks, the last publication being not earlier than seven (7) days prior to the date set forth for the public sale.

Section 11. The Township Committee will provide for the payment of a commission to any real estate broker who consummates the sale. This commission shall be in the amount of three percent (3%) of the sale price payable only in the event that the highest bid, exclusive of any commission, exceeds the next highest bid, also exclusive of the commission. Any person submitting a bid who is represented by such real estate broker shall provide at the time his or her bid is submitted a copy of the agreement establishing the relationship between the broker and the bidder.

Section 12. This resolution shall take effect immediately.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at their regular meeting held November 27, 2013

Lora L. Olsen, RMC
Township Clerk

TOWNSHIP OF WEST AMWELL
2013
BUDGET APPROPRIATION TRANSFERS

RESOLUTION NO. 180-2013
Attached to 11/27/13
Minutes

PURSUANT TO NJS A 40A:4-58, a municipality may make budget appropriation transfers during the last two months of the fiscal year.

WHEREAS, there appears to be insufficient funds in the following 2013 appropriation accounts to meet the demands thereon for the balance of the year, viz:

Current Fund:	Other Expenses:
Salaries and Wages:	Administrative and Executive
Municipal Court	Group Insurance
	Roads
	Vehicle maintenance

WHEREAS, there appears to be a surplus in the following accounts, over and above the demand deemed to be necessary for the balance of the current year, viz:

Current Fund:	Engineering
Other Expenses:	Legal Services
Municipal Court	Planning Board
Electricity	
Gasoline	

NOW THEREFORE BE IT RESOLVED, that in accordance with the provision of NJS 40A:4-58 part of the surplus in the accounts heretofore mentioned be and same hereby transferred to the accounts mentioned as being insufficient, to meet the current demands; and,

BE IT RESOLVED, that the Chief Financial Officer is hereby authorized and directed to make the following 2013 appropriation transfers:

NO.	CURRENT FUND:	FROM	TO
	Inside Caps:		
	Salaries and Wages:		
01-490-1	Municipal Court	\$	1,500.00
	Other Expenses:		
01-490-2	Municipal Court	\$	1,500.00
01-430-2	Electricity	12,000.00	
01-460-2	Gasoline	5,000.00	
01-165-2	Engineering	9,000.00	
01-155-2	Legal Services	6,000.00	
01-180-2	Planning Board	4,000.00	
01-100-2	Administrative and Executive		7,000.00
01-220-2	Group Insurance		17,500.00
01-290-2	Roads		5,000.00
01-315-2	Vehicle Maintenance		6,500.00
	TOTALS	\$ 37,500.00	\$ 37,500.00

Meeting 11/27/13
Prepared by: Thomas J. Carro, CFO