

WEST AMWELL TOWNSHIP COMMITTEE MEETING

November 7, 2018 - 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 Mayor Stephen Bergenfeld, Deputy Mayor Gary Hoyer, Committeemen James Cally, John Dale and Zachary Rich, Acting Clerk Maria Andrews and Attorney Philip J. Faherty III.

Acting Clerk Andrews 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 5, 2018, 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 Acting Municipal Clerk.

FLAG SALUTE

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

AGENDA REVIEW BY ACTING TOWNSHIP CLERK

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

ANNOUNCEMENTS

- Township Offices will be Closed – Monday, Nov. 12th- Veteran's Day
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During the Meeting

PRESENTATION OF MINUTES

A motion by Hoyer, seconded by Rich to approve the Township Committee's 10/17/18 Regular Session minutes with no revisions noted was unanimously approved by voice vote.

A motion by Hoyer, seconded by Rich to approve the Township Committee's 10/17/18 Closed Session minutes with no revisions noted was unanimously approved by voice vote.

OPEN TO THE PUBLIC/TOPICS NOT ON THE AGENDA

Mayor Bergenfeld opened the floor to public comment. Seeing no members of the public come forward, a motion was made by Hoyer and seconded by Dale to close the floor to public comment. The motion was approved by voice vote.

SPECIAL PRESENTATIONS

Reports by Department Heads

It was noted for the record that no reports were presented.

JCP&L Update from Stan Prater, Area Manager

Mayor Bergenfeld commented Mr. Prater had a schedule conflict with this evening's meeting so he met him this morning at the Municipal Offices. Mayor Bergenfeld indicated they discussed planned upgrades to the "Gilboa" substation and pending rate increases. Mr. Prater had asked for a resolution of support. Mayor Bergenfeld remarked he was not willing to provide any documentation of support at this time due to JCP&L's lack of service and storm response over this past year.

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

It was noted for the record that no ordinances were listed on the agenda for action.

STANDING COMMITTEE REPORTS

Open Space – Mr. Shute commented that there is no update on any preservation projects.

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

Mayor Bergenfeld commented that the painter is scheduled to start the first weekend in December which means the Construction/Zoning Office and staff will be moving back upstairs temporarily. Mayor Bergenfeld stated Zoning Officer Baldino will be moving into the Prosecutor's Office because all of the office personnel can no longer fit into the former construction office space. Attorney Faherty expressed he had no issue sharing his office temporarily with the Zoning Officer.

Mayor Bergenfeld also commented that he had spoken with Director of Public Works and Roads Ryan Rollero regarding the possibility of buying an enclosed 18' x 20' trailer which could be used for temporary storage while the basement is being renovated and then could be used for DPW equipment in the future.

Rock Road West Traffic Study

Acting Clerk Andrews commented Engineer Burr is still working on his report. The Committee expressed frustration with the amount of time this matter is taking. Mr. Rich suggested Engineer Burr be given a firm deadline. The Committee asked Acting Clerk Andrews to request Engineer Burr provide the traffic study by the Committee's 12/5/18 meeting without any further delay.

Police Lieutenant Position – Status Update

Attorney Faherty noted he has received the contract from the Chief's Association but was not provided with dates for the oral exam. Mr. Rich requested the paperwork be sent to him and stated he will follow up with the Association to coordinate exam dates for the 2 candidates.

NEW BUSINESS/OTHER

Resolution: #105-2018: West Amwell PTO Raffle

RESOLUTION #105-2018

WHEREAS, application has been received the Township of West Amwell to grant a raffle license, and

WHEREAS, no objections have been received the Clerk of the Township, nor were any objections made at the meeting.

NOW, THEREFORE BE IT RESOLVED that the raffle license be granted

TO:	PTO West Amwell School
BENEFIT:	To help offset the costs of the 6 th Grade educational trip
DATE:	December 17, 2018
TIME:	12:00 PM
LOCATION:	West Amwell School 1417 Route 179, Lambertville NJ 08530

I hereby certify this to be a true copy of a Resolution expected to be adopted by the West Amwell Township Committee at their meeting held on November 7, 2018.

Maria Andrews, Acting Clerk

A motion by Dale, seconded by Hoyer to approve Resolution #105-2018 was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes, Hoyer: Yes, Rich: Yes, Bergenfeld: Yes

Resolution: #108-2018: ABC Person-to-Person Transfer: Pine Creek

Alcoholic Beverage Resolution #108-2018
Person-to-Person Transfer

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Consumption License #1026-33-001-007, heretofore issued to Pine Creek Liquors, Inc. for premises located at 394 Route 31 Ringoes, NJ 08551; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE BE IT RESOLVED that the West Amwell Township Committee does hereby approve, effective November 7, 2018, the transfer of the aforesaid Plenary Retail Consumption License to Shyamshvet, Inc., and does hereby direct the Acting Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Shyamshvet, Inc., effective November 7, 2018.

Stephen Bergenfeld, Mayor

ATTEST:

Maria Andrews, Acting Municipal Clerk

I, Maria Andrews, Acting Municipal Clerk of West Amwell Township, do hereby certify the above to be a true copy of a Resolution adopted by the West Amwell Township Committee at a meeting of the Committee held on November 7, 2018.

Maria Andrews, Acting Municipal Clerk

A motion by Cally, seconded by Rich to approve Resolution #108-2018 was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes, Hoyer: Yes, Rich: Yes, Bergenfeld: Yes

Resolution #109-2018: Authorizing the Sale of 2001 Dump Truck

Resolution #109-2018

WHEREAS, the West Amwell Township Committee desires to sell the Township's 2001 International 4900 single axle dump truck to the highest bidder; and

WHEREAS, the Committee authorizes the Acting Clerk to advertise in the Township's official newspaper, The Hunterdon County Democrat, for offers;

NOW, THEREFORE BE IT RESOLVED, that the 2001 International 4900 single axle dump truck will be advertised for sale and sold to the highest bidder.

I hereby certify the foregoing to be a true copy of a Resolution approved by the West Amwell Township Committee at their meeting on November 7, 2018.

Maria Andrews, Acting Municipal Clerk

A motion by Dale, seconded by Rich to approve Resolution #109-2018 was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes, Hoyer: Yes, Rich: Yes, Bergenfeld: Yes

Resolution #110-2018: Amending Resolution #21-2018 Professional Services Contracts – Special Planner for Affordable Housing

Resolution #110-2018
Amending Resolution #21-2018

WHEREAS, West Amwell Township has a need to acquire additional professional services without competitive bids; and

WHEREAS, it is anticipated that the value of these services over the course of the year will not exceed \$17,500.000; and

WHEREAS the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. allows governing bodies to execute agreements without competitive bidding for professional services; and

WHEREAS these executed agreements must be available for public inspection; and

WHEREAS sufficient funds are available in the 2018 Temporary Budget and will be made available in the 2018 Municipal Budget for the Township of West Amwell

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of West Amwell, authorizes the Mayor and Clerk to execute agreements with the following professionals:

Sharon Dragan, Special Counsel for Open Space Projects
Stanley Troy, Esq., public defender
Sean Faherty, Assistant Municipal Prosecutor
Shirley Bishop, Housing & Planning Consultant
John Cantalupo, Auditor
Joseph H. Burgis, Special Planner for Litigation
Charles Latini, Special Planner for Affordable Housing

BE IT FURTHER RESOLVED that these agreement are awarded, subject to contract discussions, without competitive bidding as defined under the appropriate section of the Local Public Contracts Law, because each of the above mentioned individuals is authorized by law to practice a recognized profession.

I hereby certify the foregoing to be a true copy of a Resolution approved by the West Amwell Township Committee at their meeting on November 7, 2018.

Maria Andrews, Acting Municipal Clerk

A motion by Hoyer, seconded by Cally to approve Amended Resolution #110-2018 was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes, Hoyer: Yes, Rich: Yes, Bergenfeld: Yes

Resolution #112-2018: Authorizing the Hiring of Police Officer D. Titen

West Amwell Township
Resolution #112-2018

WHEREAS, an opening exists for a full time Police Officer in the Township Police Department; and

WHEREAS, Daniel Titen has submitted an application for employment; and

WHEREAS, Daniel Titen has been recommended by AOIC Skillman to fill this open position; and

WHEREAS, the Township Committee is in agreement with AOIC Skillman that Daniel Titen be hired as a full time Police Officer and will be a probationary employee for one year; and

NOW THEREFORE BE IT RESOLVED, by the West Amwell Township Committee, that Daniel Titen be appointed to the position of Police Officer (*probationary*) effective 11/7/18 with a starting date of 11/26/18 at an annual salary of \$52,303.52 pending the passing of all required testing.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at their meeting on November 7, 2018.

Maria Andrews, Acting Clerk

A motion by Cally, seconded by Rich to approve Resolution #112-2018 was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes, Hoyer: Yes, Rich: Yes, Bergenfeld: Yes

Discussion: Email Dated 11/1/18 from NJDOT, re: Signage for Mt. Airy & Dilts Corner

Acting Clerk Andrews explained NJDOT is working on a project to replace some signs along Route 202 including the signs leading from Route 202 to Mt. Airy and Dilts Corner. NJDOT indicated these locations are unincorporated locations within West Amwell and Delaware Townships. They are asking each municipality for input on whether or not they wish the signs to be changed from Mt. Airy and Dilts Corner to instead reference each township.

It was the consensus of the Committee to allow NJDOT to change the signage to reference both West Amwell and Delaware Townships if they wished to do so.

Prior to going into Closed Session Mayor Bergenfeld opened the floor to public comment for anyone who wished to leave and not stay through the Closed Session.

Dave Beaumont of 205 Rock Road West came forward and commented there may be school board members who wish to attend the Township Committee meetings. Mayor Bergenfeld noted he had already asked Acting Clerk Andrews to add one of the school board members to the agenda distribution list. He remarked this way they can review the agendas and decide whether or not they wish to have someone attend the meeting.

Mr. Beaumont also commented that there are no speed limit signs on Corsalo Road or Rock Road Extension. Attorney Faherty remarked that unless posted otherwise, in New Jersey the road is a 50 mph zone. He noted there must be a certain amount of houses on the road in order for it to be designated less than 50 mph, or designated as a 25 mph residential zone.

Seeing no other members of the public come forward, a motion was made by Hoyer and seconded by Dale to close the floor to public comment. The motion was approved by voice vote.

OTHER

Resolution #111-2018: Closed Session – Personnel/Contracts – Litigation/Affordable Housing

Present for the discussion was Open Space Committee Member Hal Shute.

A motion by Dale, seconded by Hoyer to approve Resolution #111-2018 to enter into Closed Session was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes Hoyer: Yes, Rich: Yes, Bergenfeld: Yes

Resolution #111-2018

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: Mt. Laurel Litigation, personnel/contracts and subjects falling under Attorney-Client privilege.
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.

A motion by Hoyer, seconded by Cally to return to open session was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes, Hoyer: Yes, Rich: Yes, Bergenfeld: Yes

The Committee was in Closed Session from 7:55 PM – 8:48 PM.

ADMINISTRATIVE

It was noted for the record that no comments were made on any of the monthly reports which were received.

Mayor Bergenfeld commented on the low turnout at the rabies clinic noting 53 animals were vaccinated. Acting Clerk Andrews remarked the number dropped from approximately 90 animals last year. There was some discussion on whether or not to continue holding the clinic. Acting Clerk Andrews suggested the Township try holding it one evening next year rather than on a Saturday. The Committee agreed with the suggestion but noted if the numbers are still down, they will likely do away with the clinic since all of the surrounding municipalities offer one and perhaps West Amwell residents are attending those instead.

Mayor Bergenfeld also addressed the next Township Committee meeting stating it falls the night before Thanksgiving and in the future this may not be good for anyone who travels for the holiday. He indicated he and Acting Clerk Andrews have discussed whether or not there is a need for 2 monthly meetings and remarked next year there may only be 1 meeting in November. Mr. Rich suggested the meeting on the 21st be cancelled as some other members expressed they may have schedule conflicts. The meeting was not cancelled at this time as there may still be a quorum. It was noted the sentiment of the Committee was that it may be prudent to only hold 1 meeting during certain months next year which will be outlined in the annual meeting schedule during the Committee's reorganization meeting.

CORRESPONDENCE

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

ADJOURNMENT

A motion by Rich, seconded by Hoyer to adjourn the meeting was unanimously approved.

The meeting adjourned at 9:00 PM.

Maria Andrews, Acting Municipal Clerk

Approved: 11/21/18