

SPECIAL WEST AMWELL TOWNSHIP COMMITTEE MEETING

October 10, 2012 – 6:00 p.m.

The West Amwell Township Committee met on the above date at 6:00 p.m. Present: Mayor Fisher, Committeemen Rich and Molnar and Clerk Lora Olsen. Also present were Lt. Stephen J. Bartzak, Patrolmen Jeffrey Jones and Tim Vanselous. After the Closed Session, Mr. & Mrs. Ted Vanselous, Mrs. Tim Vanselous and daughters, Barbara Walsh, Hal Shute, Rob Tomenchok, Lonnie Baldino, David Gill, Mike Janoski, Phil Rosso, Phil Langon, Chris Rose, Regina Taylor and Democrat reporter Christina Rojas joined the meeting at various times.

In compliance with the Public Meetings Act, Mayor Fisher announced that this Special Meeting was called pursuant to the provisions of the Open Public Meetings Act with notices faxed to the Hunterdon County Democrat and the Trenton Times on October 2, 2012. 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 open portion of the meeting was recorded via digital recording system.

CLOSED SESSION:

RESOLUTION # 162-2012

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 (Police Interviews)
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 Molnar, seconded by Fisher.

The meeting returned to Open Session at 7:08 p.m. and the Agenda sequence modified by mutual consent.

APPOINTMENT OF POLICE CORPORALS/SWEARING IN: Lt. Bartzak has recommended, and the Township Committee has previously made provision for, the appointment of Corporals. Patrolman Jeffrey S. Jones was sworn in as one of the new Corporals by Township Clerk Olsen. Patrolman Timothy Vanselous was then called forward and was sworn in. Daughters Morgan and Paige held the Bible. Both men were presented with new badges and received congratulations.

Also under appointments, Mr. Fisher made the following appointments to the Environmental Commission: Janice Zuzov to Alternate #1 and Dan Longhi to Alternate #2. Appointments unanimously approved.

DISCUSSIONS:

Construction Official, Tech & Assessor re: Work Undertaken w/o Permits & Inspections/Open Permits

– The Construction office staff and Assessor Gill were asked to attend to review the process, how it's suppose to work, and how to fix those areas found during reassessment work. Chris Rose cited the 2008 Permit Extension Act which means that any permit would be good until 2013. Although this was specifically designed to help large developers, it affects everyone who holds an old permit from that time. It was also explained that folks don't close out permits as this sparks an assessment and affects their taxes—something that is found in every town. David Gill stated that he sends letters out if a structure is occupied and takes the assessment back 2 years if there's no completion. This action prompted some folks to come in last year. He requested copies of the inspector's daily logs to assist with his work and offered to help with getting letters out from the construction office as the information is in his data base. Mr. Fisher commented on the three areas of concern—permits that have not been closed, work done without permits, and the reassessment findings. Mr. Rose noted that in the past the record keeping was poor and there were permits that could

have been closed out. The best way to handle this is through letters but the response isn't always great. Violation notices should be sent to those not responding and to contractors who know better. The purpose of the permit is to make sure that the work performed is safe. The subject of amnesty was brought up with Mr. Fisher making the observation that the problem is with having no paperwork, having permits closed out in timely fashion and the fact that Mr. Gill caught lots of the former. Electrical inspector Janoski offered that amnesty is good and then relayed the sequence of events that would be undertaken. The last of which would be the \$2000 fine, which would result in lots of calls to the mayor. He also suggested that if amnesty were to be offered, that this be done in January-February as it is a slower time of year. Mr. Fisher requested that a master list of open permits be prepared and that the focus be on close-outs back to 2008. As for open permits dating to the 80's and 90's, a solution is needed, but finished basements, decks and additions have to be assessed. Some of these issues can be caught on a property sale then be billed for the permit and inspections. If a list of work identified as being done without permits could be submitted to them, Phil Langon stated that they would handle it from there. Construction Tech Regina Taylor commented that the flurry of e-mails and that copying the Township Committee was not appreciated. She also requested a list, noting that it takes a couple hours of research to pull files and document inspections in order to close out a permit, noting as well the limited manpower. Her daily work involves processing and issuing new permits in addition to sending out letters on building, fire, and electric inspections.

The question of patios and their need for a permit was raised. These may need zoning permits as well if steps of one foot or higher are involved, per Zoning Official Lonnie Baldino. An assessment analysis work sheet for sheds/decks/patios, pools and finished basements was shared. A listing for letters will be provided by the assessor.

Mr. Fisher suggested that the departments talk with one another to workout a system for these permit problems and amnesty direction. A form letter to be sent to homeowners without permits is to be developed and presented to the Township Committee prior to mailing. Mr. Rosso offered to supply the letter used by Bridgewater Township for consideration.

Road Supervisor re: DPW Staffing – Randy Hoagland relayed that the Committee paid an astronomical amount for the mowing at Calton. That being said, he stated that he needs the fourth man as he can't handle the present situation again, with Mr. Molnar offering support citing the lone man available during the August storm. Mr. Hoagland recommended Mr. Leary for the open slot and received the Committee's blessing for an offer letter, contingent on a satisfactory physical and drug test, and \$15.00/hr. be sent. Thereafter, a CDL would have to be obtained.

Open Space Secretary Position – John Cronic has relayed that the applicant indicated to him during a telephone conversation that she would take the offered position at \$15.00. This change in rate was approved by the Township Committee. Official confirmation will be requested before appointment.

RESOLUTION #163-2012 SALARY & WAGE RESOLUTION

BE IT RESOLVED by the Committee of the Township of West Amwell that the 2012 Salary and Wage Resolution, adopted January 9, 2012 be amended as follows:

| Position | Salary/Compensation |
|--|---------------------|
| <u>Add:</u> Open Space Secretary Rosikiewicz | \$15.00/hr |

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

RESOLUTIONS:

Approving Operating Manual for Re-hab Program – Barbara Walsh relayed that the program was changed so that there will be no payment due until a transfer takes place for an owner occupied unit. However, the owner would pay 10% of the cost for a rental unit. As for the accessory apartments, a grant can be given as long as the property is kept rented and has a deed restriction in place. No pay back would then be required. If the unit is not rented, the money has to be paid back.

RESOLUTION #164-2012

WHEREAS, a newly revised Operating Manual for the Administration of Rehabilitation Units has been developed for use in the Township's Rehabilitation Program; and,

WHEREAS, this Manual has been reviewed by the Township Committee

THEREFORE BE IT RESOLVED, that the West Amwell Township Committee hereby approves the revised Operating Manual for the Administration of Rehabilitation Units.

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

The property recently sold by the Township to the Construction Official was then mentioned by Ms. Walsh for possible interest. She relayed that the Construction Official has proposed deed restricting the unit as affordable and in return receive \$30,000 for the project to make it affordable. It would be deed restricted for 30 years. This particular scenario would mean one less unit that the Township would have to provide. Re-construction/new construction credit would be received but requires a change to the COAH plan. It also means that the Township would be getting a new unit for \$30,000 under the re-hab financing. Attorney Faherty will be consulted.

The Accessory Apartment program was then broached in that there are still 14 outstanding units to be provided for the under plan or the Township is vulnerable. The program needs to get off the ground so that progress can be shown. Advertisement was approved.

Ms. Walsh also advised that she can provide help for foreclosures and that she recently received a call from someone in that situation who was interested in affordable housing. New programs will be sought in this regard.

Professional Services for Community Forestry Grant Work – A contract for the required work has been received.

RESOLUTION #165-2012

WHEREAS there exists a need to hire a licensed professional without competitive bids as a non-fair and open contract process; 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 2010 Green Communities Grant

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of West Amwell, that an agreement be executed with the following professional:

Les Alpaugh of Forestree Consultants

BE IT FURTHER RESOLVED that this agreement is 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.

BE IT FURTHER RESOLVED that a Business Entity Disclosure Statement be placed on file with this resolution; and

BE IT FINALLY RESOLVED that the notice of this action shall be published in the newspaper of general circulation within the Township of West Amwell not more than ten days from the enactment thereof.

The Resolution was unanimously approved on motion by Molnar, seconded by Rich. The mayor executed the contract.

HC Water Quality Management Plan Consent – Mr. Fisher explained that the ‘sewer service’ areas are just septic systems at South Hunterdon, the elementary school and Breen. His position was to move on with the County’s request.

RESOLUTION #166-2012

A RESOLUTION CONSENTING TO THE PROPOSED WATER
QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED
“Amendment to the Upper Delaware and Upper Raritan Water Quality Management Plans
(WQMP)”

WHEREAS, the Board of Chosen Freeholders of Hunterdon County desires to provide for the orderly development of wastewater facilities within **Hunterdon County**; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on September 4th, 2012 for the above Amendment has been prepared by the Hunterdon County Planning Department;

NOW, THEREFORE, BE IT RESOLVED on this 10th day of October, 2012, by the governing body of West Amwell Township that:

1. The West Amwell Township hereby consents to the amendment entitled "Amendment to the Upper Delaware and Upper Raritan Water Quality Management Plans (WQMP)", and publicly noticed on September 4, 2012, prepared by the Hunterdon County Planning Department, for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

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

Approval to Submit Grant Application to NJDOT for Rocktown-Lamb. Road Phase 2 – Township Engineer Roseberry requests authorization to submit an application in SAGE for the referenced road. Approved. The following resolution is required by NJDOT.

Township of West Amwell
Resolution No. 167-2012

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Improvements to Rocktown-Lambertville Road Phase 2 project.

NOW, THEREFORE, BE IT RESOLVED that Council of Township of West Amwell formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-West Amwell Township-00193 to the New Jersey Department of Transportation on behalf of Township of West Amwell.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Township of West Amwell and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

REVIEW OF POLICY & PROCEDURES MANUAL/DISCUSSION (if time permits): Held

OPEN TO THE PUBLIC:

No longer any public in attendance.

ADJOURNMENT:

There being no further business, the meeting was unanimously adjourned at 8:40 p.m. on motion by Molnar.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk

APPROVED: 11/5/2012