

WEST AMWELL TOWNSHIP COMMITTEE MEETING

October 2, 2019 - 7:30 PM

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 by Mayor Zachary Rich. Present were Deputy Mayor Gary Hoyer, Committeemen Stephen Bergenfeld and John Dale along with Township Clerk Maria Andrews.

Mayor Rich 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

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

AGENDA REVIEW BY TOWNSHIP CLERK

Clerk Andrews noted there two additional announcements:

Fire Prevention Week is: 10/6/19 – 10/12/19

The municipal offices will be closed 10/14/19 – Columbus Day

ANNOUNCEMENTS

- Free Rabies Clinic: Saturday, Nov. 2, 2019 from 1 PM – 3 PM
- A Big "Thank You!" Is extended to the Fulper Family for their donation of cornstalks to decorate the municipal property and to the staff members who did the decorating: Gail Brewi, Tommy Carom, John Cronic, Sandy Haberle, Ryan Rollero and Jack Vennetone
- 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 Bergenfeld, seconded by Dale to approve the Township Committee's 9/18/19 Regular and Closed Session minutes with no revisions noted was unanimously approved by voice vote.

OPEN TO THE PUBLIC/TOPICS NOT ON THE AGENDA

Mayor Rich opened the floor to public comment. He quickly updated the Committee that he would like to implement recognizing staff and members of the community for special achievements or outstanding service by adding Proclamations to each agenda. He noted Patrolman Cornelius Flemming, Cathy Urbanski and Mike Spille will be recognized at the next Township Committee meeting.

Additionally Mayor Rich noted a request was made by resident Monica Paerg for a speed bump to be installed on Music Mountain Boulevard. Mayor Rich requested AOIC Skillman put the speed trailer in this location and conduct a study before any other action is taken. He also suggested AOIC Skillman reach out to the County regarding the speed strips they use to monitor traffic.

Seeing no members of the public come forward Mayor Rich closed the floor to public comment.

SPECIAL PRESENTATIONS

Proclamation: Recognition of Attorney Philip J. Faherty's Retirement

Mayor Rich read the following Proclamation into the record:

PROCLAMATION

WHEREAS, as of September 30, 2019, Philip J. Faherty, III is retiring as Township Attorney and Municipal Prosecutor after having served dutifully and with distinction in both positions for the past 42 years; and

WHEREAS, Mr. Faherty was hired by the Township of West Amwell in 1977 to serve as both Township Attorney and Township Prosecutor; and

WHEREAS, Mr. Faherty has served in these positions with distinction for 42 years demonstrating the proficiency and integrity that is critical to government service; and

WHEREAS, Mr. Faherty's legal skills as Township Attorney have permitted the Township to maintain important quality of life issues, such as open space and local government control, that are an integral part of life in our community; and

WHEREAS, Mr. Faherty's service as Municipal Prosecutor has helped protect the residents of our community and supported our local law enforcement efforts by bringing fairness and justice to our Court regardless of a person's title, background, or position; and

WHEREAS, Mr. Faherty has served with over sixteen different Mayors/Committee persons and five Municipal Clerks/Deputy Clerks; and

WHEREAS, Mr. Faherty is counted among those top public servants representing our community.

NOW THEREFORE, I, Zachary T. Rich, Mayor of the Township of West Amwell, on behalf of the Township Committee and the residents of West Amwell, wish Philip J. Faherty, III good health and happiness in his retirement from the Township and continued success in his private practice of law, and do hereby honor and commend him for his many years of outstanding service to the residents of West Amwell Township.

IN WITNESS HEREOF, I have hereunto set my Hand and caused the Seal of the Township of West Amwell to be affixed this 2nd day of October, 2019.

ATTEST:

Maria Andrews, Township Clerk, RMC

Zachary T. Rich, Mayor

Resolution #95-2019: In Memory of Carolyn F. Deal

Mayor Rich read the following Resolution into the record:

**Resolution #95-2019
In Memory of Carolyn F. Deal**

WHEREAS, the Township Committee wishes to record its deep sorrow over the passing of Carolyn F. Deal; and

WHEREAS, Carolyn proudly served a term as West Amwell's Mayor in 1991; and

WHEREAS, the Governing Body is grateful for her many contributions as an outstanding citizen in our community; and

WHEREAS, Carolyn's service was given such devotion that she earned the respect, admiration and friendship of many residents within the community through her professional leadership and dedication; and

NOW THEREFORE BE IT RESOLVED in recognition of Carolyn's contributions to the Governing Body, the Township and its citizens, we hereby express our deep appreciation to her service to this community and extend to her family our sincere sympathy upon her passing.

BE IT FURTHER RESOLVED that this Resolution be transcribed in the minutes of the Governing Body and that the Clerk is directed to forward a copy of this resolution to the family of Carolyn F. Deal.

Minutes: 10/2/19

IN WITNESS HEREOF, I have hereunto set my Hand and caused the Seal of the Township of West Amwell to be affixed this 2nd day of October, 2019.

ATTEST:

Maria Andrews, Township Clerk, RMC

Zachary T. Rich, Mayor

Committeeman Dale's wife, Robin Deal was present at the meeting to accept the Resolution and shared some fond memories of her Mother noting she always carried copies of the Declaration of Independence and Constitution of the United States with her. Specifically, the Colonial Williamsburg version because it was "constitutional" and not "political." Ms. Deal commended the Township Committee for their service to the community and stated a memorial service will be held for her Mom at Mt. Airy Church on November 2, 2019 at 11:00 AM.

Reports by Department Heads

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

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

Introduction: Ordinance 06, 2019 – *AMENDED*: AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

Mayor Rich read Ordinance 06, 2019 by title.

**WEST AMWELL TOWNSHIP
Ordinance 06, 2019 – *Amended***

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY.

SECTION 1

The following shall be the amended salary range of compensation for the following position of the township for the year 2019.

Court Administrator\$40,000.00 - \$70,000.00

SECTION II

Definitions and Benefits are outlined in the West Amwell Township Policy Manual adopted December 28, 2005 with amendments through April 23, 2014

SECTION III

All Ordinances and parts of Ordinances inconsistent with this Ordinance are hereby repealed.

SECTION IV

This Ordinance shall take effect after final adoption and publication according to the laws of the State of New Jersey.

APPROVED BY TOWNSHIP COMMITTEE

Zachary T. Rich, Mayor

ATTEST:

Maria Andrews, Township Clerk, RMC

A motion by Bergenfeld, seconded by Dale to introduce Ordinance 06, 2019 was unanimously approved by roll call vote.

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

Minutes: 10/2/19

Clerk Andrews noted the public hearing will be listed on the Committee's October 16, 2019 meeting agenda.

STANDING COMMITTEE REPORTS

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

UNFINISHED BUSINESS

PennEast Status

It was noted for the record that no update was provided.

NEW BUSINESS/OTHER

Resolution #101-2019: Opposing PennEast Pipeline's Permit Application to NJDEP

Resolution #101-2019

Opposing PennEast Pipeline's Permit Applications to the NJDEP

WHEREAS, the PennEast Pipeline Company on August 8, 2019 submitted new applications for environmental permits to the New Jersey Department of Environmental Protection (NJDEP), having had a prior submission by the corporation rejected by the NJDEP in January 2018; and

WHEREAS, the members of the West Amwell Township Committee believe it is imperative that they go on record objecting to the renewed applications to the NJDEP for Freshwater Wetlands Permit, a Water Quality Certificate under Section 401, and various Flood Hazard Permits, among other submissions, and recommend that the NJDEP reject the applications for permits for the following reasons:

1. NJDEP has sufficient information to determine that this pipeline cannot be constructed in a manner that meets the stringent environmental standards required under state law and regulations;
2. The New Jersey Conservation Foundation advises that research has found that open-cut, isolated, and horizontal directional drilling (HDD) stream-crossing methods for pipeline construction, which is planned for this project, have damaged channel formation, water quality, and aquatic life, and habitats. Any of these stream crossing methods will result in unacceptable impacts to protected waterways and wildlife;
3. The planned open cut trenching causes numerous forms of measurable harm to a creek, including, but not limited to: Loss of vegetative buffer, changes in temperature that threaten fish, changes in stream biota and habitat that can harm macro invertebrates and long tailed salamanders, sedimentation, reduction in water quality as a result of storm water and erosion, and aesthetic changes, as well as a reduction in recreational values. Many of these creeks are tributaries to the Delaware River and feed the Delaware and Raritan Canal. Open cut trenching will clearly result in unacceptable impacts to protected waterways and wildlife;
4. The pipeline will add new impervious surface to local watersheds, exacerbating sediment-loading in the D&R Canal – threatening a drinking water source for millions of central New Jersey residents; and
5. The planned pipeline route disturbs a fifty-three acre well service area in Holland Township and over 2000 acres of Hunterdon County farmland and conservation easements for which taxpayers have paid millions of dollars to preserve

NOW THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the Governing Body calls on NJDEP to withhold approval of the application for a Freshwater Wetlands Permit by the PennEast pipeline and urges the NJDEP to require PennEast to resolve the concerns raised above in this Resolution; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to Governor Phil Murphy, NJDEP Commissioner Catherine R. McCabe, and as an official comment to NJDEP Division of Land Use Regulation, P.O. Box 420, Code 501-02A, Trenton, NJ 08625.

I hereby certify the foregoing to be a true copy of a Resolution approved by the West Amwell Township Committee at their regular meeting held on October 2, 2019.

Maria Andrews, Township Clerk, RMC

A motion by Rich, seconded by Bergenfeld to approve Resolution #101—2019 was unanimously approved by roll call vote.

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

Minutes: 10/2/19

Discussion: Possible Ordinance to Address Vaping

Mayor Rich explained that he has attended several County meetings where vaping has been discussed. He expressed that it is a serious health crisis that he would like to see West Amwell address. Statistically the number of people vaping has grown 30% annually. Mayor Rich remarked he has attempted to get hard data regarding the number of reported vaping incidents in the schools and has not received any cooperation. Mayor Rich indicated he would like West Amwell to be proactive like Raritan Township and introduce an ordinance prohibiting smoking on township owner property and in public buildings.

The Committee expressed support for such an ordinance with Committeeman Bergenfeld suggesting the Class III Officers do a program in the schools addressing the dangers of vaping.

OTHER

It was noted for the record that the Committee did not enter into closed session but Clerk Andrews stated the PBA would like to know who will be negotiating the 2020 Police Contract. It was determined that 2 members of the Committee can participate now that there is a 5 person Committee. Mayor Rich designated Committeeman Cally to negotiate the new contract along with either Committeemen Bergenfeld or Hoyer.

OPEN TO THE PUBLIC

John Dupuis of the Municipal Alliance group came forward and explained he needs to gather information so the group can make a determination on what community issues they wish to spend their educational funding on. Specifically, programs such as alcohol, smoking or prescription drug usage prevention.

The Committee suggested Mr. Dupuis reach out to the schools and AOIC Skillman for the details on the information he needs.

ADMINISTRATIVE

The Committee made no comments on any of the administrative reports listed on the agenda.

CORRESPONDENCE

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

ADJOURNMENT

A motion by Dale, seconded by Hoyer to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 8:18 PM.

Maria Andrews, Township Clerk, RMC

Approved: 10/16/19