

**WEST AMWELL TOWNSHIP COMMITTEE MEETING**  
**September 1, 2010**

**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 7:00 p.m. Present were Mayor Molnar, Deputy Mayor Frank P. Masterson III, Committeeman George Fisher and Attorney Philip J. Faherty III. Also in attendance were John Haug, Howard Hope, Dave Beaumont, Robin Horsnall, Jason Fuhr, Betty Jane Hunt, Sean Pfeiffer, Cathy Urbanski, Hal Shute, Ron Shapella, Zach Rich and Bill Corboy

Mayor Molnar 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 Lambertville Beacon, Hunterdon County Democrat and Trenton Times on January 1, 2010, 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 and a copy of the CD is on file in the Office of the Municipal Clerk.

**PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

Robin Horsnall led the assembled group in the pledge to the nation's flag.

**AGENDA REVIEW BY TOWNSHIP CLERK**

The following items were added: 8.A Open Space – Resolution; 8.B Environmental – Green Team; 9.A Unfinished – Rocktown Hill Project Update.

**ANNOUNCEMENTS**

The following announcements were made:

- Municipal Offices Closed September 6<sup>th</sup> for Labor Day and October 11<sup>th</sup> in Observance of Columbus Day
- Last Day to Register for General Election, October 12<sup>th</sup>
- Computer & Electronics Collection, County Complex Rt 12, October 9<sup>th</sup>, 9 a.m.-1 p.m.
- Hazardous Waste Collection, County Complex Rt 12, November 13<sup>th</sup>, 9 a.m.- 1 p.m.
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

**PRESENTATION OF MINUTES**

The August 4, 2010 Regular and Closed Session minutes and the August 16 & 26, 2010 Special and Closed Session minutes were approved on motion from Fisher, seconded by Masterson, and carried unanimously.

**OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA**

Kathy Adams, Music Mountain Boulevard, came forward concerning the condition of the trees on the property. She questioned which ones are covered under the Maintenance Bond and whether there will be replacements. Ms. Adams was assured that this effort is in the works and that the Township Engineer will be inspecting the property this fall.

Robin Horsnall of Rock Road West expressed concern for the community and the abuse of land that is occurring next to her. She noted that a fence was erected without a permit; is not according to code; and, that 10 loads of fill were brought in on Tuesday which will impact the drainage on her property. She has also contacted DEP due to the wetlands issue. The situation has been most upsetting but appreciation was expressed to all who have helped out. Mr. Molnar relayed that the Zoning Officer is aware of the fence and that Soil Conservation has been contacted. Mr. Fisher offered that there a process to be followed but that the Township has part-time people. The complaints made are legitimate and assured her that things will be made right.

Howard Hope of Hewitt Road spoke again about his fence situation. The situation has not changed—his 6 ft fence is not by code. A front yard fence can only be 4 ft. It was suggested that he put in plantings to hide the woodpile as there is no height limitation.

**INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING AND/OR SPECIAL PRESENTATION**

**Municipal Alliance:** Jason Fuhr relayed that the Municipal Alliance committee received 12 applications for grant money ranging from \$450 to \$2500. There's a total pot of \$23,000 to be

awarded. The vote on the applications will be taken later this month. A report on the recipients will be made at the October meeting. Mr. Fuhr noted that the golf tournament was exceptional, especially in light of the economic times, and that \$10,000 will be given out. Appreciation was extended to Mr. Fuhr for his service.

**Public Hearing:** Ordinance 10, 2010 AN ORDINANCE TO PROVIDE FOR THE PURCHASE AND INSTALLATION OF OVERHEAD DOORS AT THE TOWNSHIP GARAGE FOR AND BY THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY AND APPROPRIATING \$15,000.00 FROM THE CAPITAL IMPROVEMENT FUND

Proof of publication in the August 12, 2010 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the August 4, 2010 Township Committee meeting. Mayor Molnar read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was unanimously closed on motion from Fisher, seconded by Masterson.

Fisher moved for adoption of the Ordinance and Masterson seconded. Roll Call: Fisher-aye, Masterson-aye, Molnar-aye

**Resolution to Amend Capital Budget:** Clerk Olsen explained that only \$65,000 was allotted in the capital portion of the budget and that a determination has recently been made to increase this to \$70,000. Hence the need for an amendment.

#### RESOLUTION #120-2010

WHEREAS, the local Capital Budget for the year 2010 was adopted on June 23, 2010; and

WHEREAS, it is desired to amend the adopted Capital Budget for the year 2010;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell Township, County of Hunterdon, New Jersey, that the following amendment to the adopted Capital budget be made:

#### CAPITAL BUDGET (Current Year Action) PLANNED FUNDING SERVICES FOR CURRENT YEAR-2010

Project Title	Estimated Total Cost	Capital Improvement Fund
Purchase of Garbage Truck		
From	\$ 65,000	\$ 65,000
To	\$ 70,000	\$ 70,000
Total- All Projects		
From	\$9,890,000	\$110,000
To	\$9,895,000	\$115,000

#### 5 YEAR CAPITAL PROGRAM-2010-2014 Anticipated Project Schedule and Funding Requirements

Project Title	Estimated Total Cost	Estimated Completion Time	2010
Purchase of Garbage Truck			
From	\$ 65,000	2010	\$ 65,000
To	\$ 70,000	2010	\$ 70,000
Total- All Projects			
From	\$9,890,000		\$2,160,000
To	\$9,895,000		\$2,165,000

5 YEAR CAPITAL PROGRAM-2010-2014		
Summary of Anticipated Funding Sources and Amounts		
Project Title	Estimated Total Cost	Capital Improvement Fund
Purchase of Garbage Truck		
From:	\$ 65,000	\$ 65,000
To:	\$ 70,000	\$ 70,000
Total- All Projects		
From:	\$9,890,000	\$785,000
To:	\$9,895,000	\$790,000

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed forthwith in the Office of the Director of Local Government Services within three days after the adoption of this project for the 2010 Capital Budget.

Fisher moved to approve the Resolution, Masterson seconded. Motion carried unanimously.

**Introduction:** Ordinance 11, 2010

The following ordinance was read by title and introduced on first reading:

ORDINANCE 11, 2010

AN ORDINANCE PROVIDING FOR THE PURCHASE OF A REFURBISHED GARBAGE TRUCK IN AND BY THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND APPROPRIATING \$70,000.00 FROM THE CAPITAL IMPROVEMENT FUND

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

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general improvements to be made or acquired by the Township of West Amwell, New Jersey. For the said improvements or purposes described in Section 2 there is hereby appropriated the sum of \$70,000.00 said sum being inclusive of all appropriations heretofore made therefor.

Section 2. The Township of West Amwell is hereby authorized to purchase a refurbished garbage truck including all work and materials necessary therefor and incidental thereto.

Section 3. It is hereby determined and stated that the undertaking of the aforesaid work, acquisition or improvement is not a current expense of the Township of West Amwell, but rather a capital expense and estimated cost of said work, acquisition or improvement of said purpose is \$70,000.00

Section 4. The sum of \$70,000.00 is therefore appropriated for said purpose. The funding is provided by appropriating \$70,000.00 from the capital improvement fund for said purpose as required by law and now available in one or more previously adopted budgets of the Township of West Amwell.

Section 5. The resolution amending the 2010 Capital Budget of the Township of West Amwell is hereby established to conform with the provisions of this ordinance.

Section 6. There is no debt authorized for this improvement or purpose.

Section 7. This ordinance shall take effect immediately upon adoption according to law.

Fisher moved to introduce the Ordinance on first reading and Masterson seconded. Motion carried unanimously.

**SPECIAL AND/OR STANDING COMMITTEE REPORTS**

**Open Space**

- *Authorization to Post May Minutes (3 sets as listed on the agenda) on Website:* Approved
- *Letter to County re: SFY 2012 Farmland Preservation PIG Participation:* The annual

notification concerning the Township's continued participation in the municipal farmland preservation Planning Incentive Grant for SFY 2012 was presented and signed by the mayor.

- *Update on County Municipal Grant Application & Resolution:* Mr. Pfeiffer noted that Cathy Urbanski has done an excellent job the last 4 years in the preparation of this document and has therefore asked her to do so again this year.

Resolution #121-2010

Whereas:

The Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide Program Funds in connection with municipal acquisition of lands for recreation, conservation and general open space purposes; farmland preservation; preparation of plan elements of a municipal Master Plan, and restoration of county owned or municipal owned historic facilities. The Governing Body of West Amwell Township desires to obtain Open Space Trust Funds in the amount of \$27,133.82 to fund Toll Brothers South Farm, Block 8, Lots 20 & 36.

Now Therefore the Governing Body resolves that:

1. Catherine Urbanski is authorized to: (a) make an application to the County of Hunterdon for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Grants Program and (c) act as the principal contact person and correspondent of the above named municipality.
2. If the County of Hunterdon determines that the application is complete and in conformance with the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan and the Policies and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such adopted policies and procedures, and applicable state and local government rules, regulations and statutes thereto.
3. Mayor, Thomas J. Molnar is hereby authorized to sign and execute any required documents and agreements with the County of Hunterdon for the approved Open Space Trust Funds.

Fisher moved to approve the Resolution, Masterson seconded. Motion carried unanimously.

Mrs. Urbanski offered that the only problem encountered is that Kevin Richardson was not pleased last year to learn that she was not a member of the Open Space committee. Her fear is that he may reject the application, although Mr. Pfeiffer has agreed to accompany her. As there is currently an open slot on Open Space, Mr. Molnar appointed Mrs. Urbanski to the 3 year term and expressed appreciation for the time and effort expended in this project. There were no objections to the appointment.

- *Project Status Updates:* Mr. Pfeiffer had asked the Clerk to poll the Committee concerning direction on a particular issue concerning the **Kilmer** project. He explained that all areas with debris noted by the environmental consultants have been cleaned up with the exception of a collapsed barn/shed that was considered by the property owner to be onerous due to the need to bring in heavy equipment. The environmental consultant doesn't think it was even a barn nor is the area as big as the other identified debris areas. Catherine Drake has been consulted and feels that leaving this small pile of debris would not pose a problem. Attorney Dragan has indicated that the particular area, although in the conservation easement, is not near the public access portion and would pose no liability to the Township. Mr. Pfeiffer noted that Mr. Masterson had provided some comments concerning the matter but assured him that the issues raised were addressed. Another site inspection with the environmental consultant will be scheduled after Labor Day. He has tried to get all parties together at the same time in order to sign off on the project but this may not happen. Asked whether a governing body member would be present, Mr. Fisher volunteered and Mr. Molnar also indicated that he would be stopping in to take a look at some point. Once clearance is obtained, the baseline report will be prepared.

Due to some legal issues, the **Toll** clean-up project was given to the attorney. Attorney Faherty explained that the apparent low bidder had made it known that the price did not include the asbestos, so there was no way to make a determination whether this would still be the low bid. At the time, the next lowest bidder had not submitted a BRC and was thought to be disqualified. However, the law has recently been amended to allow for the submission to be made prior to the award, so he is of the opinion is that the second lowest bid can be accepted—pending

clearance from the SADC. Mr. Pfeiffer offered that he spoke with Dan Knox about this situation and, although Mr. Knox did not see this as an issue, it would have to be cleared with his superiors. The resolution of award was held pending final word from the SADC. If a special meeting is held, Mr. Pfeiffer requested that this be on the agenda.

### **Environmental**

- *Authorization to Post July 8, 2010 Minutes on Website:* Approved

- *Zoning Board/Stream Corridor Ordinance Questions:* Mrs. Urbanski relayed that she attended the recent Zoning Board meeting and addressed all the issues raised in the letter received earlier. The Board attorney and the members now understand and the ordinance is okay as it is. However in the permitted activities section, a question was raised about a possible conflict with the Municipal Land Use Law (MLUL). Joe Doyle was contacted for his view; agreed that this could be; and, suggested that DEP be contacted as this was taken from their riparian ordinance. Mrs. Urbanski will attend the next Zoning Board meeting to address this issue and offered that there may need to be an amendment for stream corridor activities allowed under extreme hardship.

- *Green Team:* An explanation of Sustainable Jersey's "Green Team" has been developed and was presented. A member of the team would like to put this on Facebook with links to sustainable ideas, what it is, etc. in order to generate interest in joining. Eventually this would also be on the Township website. A brief discussion over unfamiliarity with the social network and issues about control ensued. The item was held.

### **Farmers Market**

- *Letter re: Recommendation to Disband:* Ron Shapella relayed that the letter presented (see attached) reflects the discussion at their last meeting. The history of the farmers market is well known and although they tried this year, it didn't fly. Mr. Shapella noted that the feeling of the committee is to disband. However, if there is ever a need expressed by local growers to resurrect the market, they would be happy to provide expertise. He noted that weather was a problem for the market and that assumptions about a ready made customer base didn't pan out, so vendors went away and that there was no incentive to come back. Although the committee tried hard, some things cannot be forced. Mr. Shapella noted that one matter not mentioned in the letter is that there are lots of farmers markets around. Although a market could work in West Amwell it would need all the various pieces in place to be successful—location, customers and vendor base. Therefore, the decision made to recommend that the committee disband for now and the matter be re-visited in the future. They gave it their best shot.

The following e-mail was received from committee member Karen Baldino with a request to be read into the record: *"Ron, thank you for preparing a well-written letter to the Township Committee itemizing our thoughts and experiences about the Farmers Market. Also, thank you for your kind words about the efforts of the FM Committee members. One important thing I believe you left out is your own efforts including but not limited to your leadership this year as Chair and the production of a fine marketing plan. If you choose not to include this in the letter or if it is too late, please have this e-mail read so that credit is given where credit is due. It has been a pleasure being a FM Committee member and working with you and the group."*

### **UNFINISHED BUSINESS**

**2011 Road Projects Update** – The applications for the Old York Road drainage projects were filed by the deadline.

The Delaware River Joint Toll Bridge Commission (DRJTBC) has approved bid solicitation for the Rocktown Hill drainage project. The legal notices will be published next week with bids scheduled for October 5<sup>th</sup> at 11 a.m. and award, if all is in order, on October 6<sup>th</sup>. This will be in advance of the October 18<sup>th</sup> NJDOT deadline. Engineer Clerico has also advised that there is gas line work that will be needed for the project which will necessitate an agreement similar to the one for Frontage/Alexauken Creek Road. He will also be in touch with Attorney Faherty concerning the bond.

**319 Grant – Request for Contract Extension/Update** – Another extension has been requested by DEP—their fourth—for this project. The letter was signed by the mayor and sent out on August 12<sup>th</sup>.

**Status of Water Buffalos/Possible Resolution to Sell** – Information received from Stothoff's was that today's retail price for these storage units would be \$1596 each; that they are not sold in New Jersey; and, shipping and handling would run up to \$500. The decision was to advertise a minimum bid of \$500.

**Resolution to Authorize Sale of Block 12 Lot 14** – Mr. Molnar offered background on the

property and that a previous attempt to sell had no takers. Discussion ensued on whether to try again now; for what minimum; and, the cost of upkeep over the winter. Betty Jane Hunt noted that the property is not worth what was being asked and that there's not much left. Hal Shute suggested waiting until next year. The decision was to proceed with a minimum bid of \$199,000.

RESOLUTION #122-2010

WHEREAS, the Township of West Amwell has acquired title to certain lands through purchase and through foreclosure on the Township's liens for taxes thereon; and

WHEREAS, the Township of West Amwell has acquired title to certain equipment through purchase for a particular use; and

WHEREAS, the Township Committee has determined that the said lands and equipment are not needed for public purposes

BE IT RESOLVED, that the following lot and equipment be sold pursuant to N.J.S. 40A:12-13 at public sale to the highest bidder, after public advertisement thereof, in the Hunterdon County Democrat and the Trenton Times on the 9<sup>th</sup> day of September 2010 and the 16<sup>th</sup> day of September, 2010, said sale to take place at the Township's Municipal Building, 150 Rocktown-Lambertville Road on the 5<sup>th</sup> day of October, 2010 at 2 o'clock P.M.

	<u>Lot</u>	<u>Block</u>	<u>Equipment</u>	<u>Location</u>	<u>Minimum Bid</u>
1)	14	12	--	259 Mt. Airy-Harb. Rd.	\$199,000.00
2)			Water Buffalo #1	150 Rocktown-Lamb. Rd.	\$ 500.00
3)			Water Buffalo #2	150 Rocktown-Lamb. Road	\$ 500.00

The use to be made of such real property by any successful bidder shall be only those uses as allowed by the Land Use Ordinance and the Building Code of the Township of West Amwell in effect at the time of the sale.

All sales are subject to such facts as would be revealed by an accurate survey.

At the time of sale, purchasers will be required to deposit with the Township Clerk ten percent (10%) of the purchase price. The remainder shall be due at or before conveyance of Title to purchaser.

Closing shall take place within thirty (30) days of the date a bid is accepted by the Township.

The Township reserves the right to reject any or all bids pursuant to N.J.S. 40A:12-13 (upon completion of the bidding, the highest bid may be accepted or all bids may be rejected).

Purchasers accept the property as is, and with respect to property no. 1, bidder acknowledges and accepts that the well on said property contains excess amounts of salt and may require a new well or an alternate method of water supply.

APPROVED BY THE WEST AMWELL TOWNSHIP COMMITTEE AT THEIR MEETING OF SEPTEMBER 1, 2010.

Fisher moved to approve the Resolution, Masterson seconded. Motion carried unanimously.

**Award Quotes for Wastewater (Salt) Transport** – This is for the transport of the salt generated by the two RO units to the Mt. Holly MUA. As the cost has been running over the quote threshold, new ones were needed.

RESOLUTION #123-2010

WHEREAS, the Township of West Amwell is in need of salt transport; and

WHEREAS, formal quotes were solicited by the Township's environmental consultants, Sadat Associates, with the following results (based on the consultant's assumption of pumping 2000 gallons over a 45 minute period per trip):

Russell Reid	\$375.00
Accurate Waste Systems	\$437.50
CEMCO	\$520.00

WHEREAS, Russell Reid represents the lowest overall cost to the Township; and

WHEREAS, the quote totals received are under the bid threshold; and

WHEREAS, Russell Reid has submitted the required Business Registration Certificate

THEREFORE, BE IT RESOLVED, by the West Amwell Township Committee that the quote for salt transport be awarded to Russell Reid for a period of one year from the date of this resolution in an amount not to exceed \$10,000

Fisher moved to approve the Resolution, Masterson seconded. Motion carried unanimously.

**Website Discussion** – Dave Beaumont, Township webmaster, expressed appreciation to the Committee for giving him the opportunity to be involved with this the last five years. He noted that he is visually impaired but that this is something that he can do and gave credit to the previous webmaster, Carol Wilson, for the great job that she did. Mr. Beaumont commented that he had three goals when he took over the website—easy maintenance, easy navigation, and easy reading. Compared with websites of other municipalities, he finds this one to be more comprehensive. With a current work schedule of 12-16/hrs/day, he finds it difficult to keep up. The suggestion about revamping the site is not something he is in a position to do so this would be a good time to transition to someone else. He suggested that an ad hoc committee be created and that a move to another service provider be considered. Possible members of this committee that were mentioned were Zach Rich and Breanna Fulper, in addition to Mr. Beaumont. Mrs. Urbanski reminded the Committee about a new design possibly being an Eagle Scout project. Mr. Molnar will speak with Rob Tomenchok about the latter.

**SHREC Update** – Mr. Fisher relayed that PPA and Energy Audit RFP proposals have arrived, although the ones for the consultant RFP were rejected and will be re-bid. The next meeting is September 8<sup>th</sup>. The project is moving ahead and he cautioned the Committee to be aware as decisions will have to be made concerning this group operation. He noted that a summary of the proposals, with comments and comparisons, was provided the City Clerk. Although Mayor DeVecchio is pushing this venture, it remains to be seen whether this project makes sense for West Amwell and specifically cautioned about the drift towards metered parts when the proposals are for generation.

**Resolution to Enter Closed Session** –

RESOLUTION #124-2010

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
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.

Fisher moved to approve the Resolution, Masterson seconded. Motion carried unanimously.

#### **NEW BUSINESS**

**League Seminar on “Moving Up in a Downturn”** – This seminar is scheduled for September 24<sup>th</sup> at Rutgers, New Brunswick. It was noted that this might be a beneficial seminar; however, no one was available to attend. The suggestion was made to ask CFO Luhrs if she would be interested and available.

**Calton Maintenance Bond** – Concern has been raised by residents of the development over the expiration of the maintenance bond. Mr. Molnar relayed that he has been in contact with Township Engineer Clerico and has received the cost estimate for the public improvements on Phases 1 & 2. The total of both is \$4,883,440 with the Maintenance Bond Guarantee at 15% or \$732,516. The engineer will be inspecting the project within the next month to identify any deficient items prior to the expiration of the bond. Mr. Haug requested that the referenced e-mails be sent to him and Mr. Rich inquired whether representatives from the development can be present during the inspections. The mayor suggested that the residents produce a general list of problems and that they can be alerted when the inspections are to take place.

**Police Roadwork** – A question was raised by a member of the police department about the distribution of the Township portion of money received for their outside employment and if this could be designated strictly to the Police Department as opposed to the General fund. Mr. Molnar relayed that the monetary split (\$35/\$20) is per the contract and that the Township portion goes to offset equipment used, uniforms and administrative costs. As the patrolmen are using Township police vehicles and fuel, the money should come into the general fund. In order to change the distribution, the contract would have to be altered.

**DCA Local Government Best Practices Survey** – An eighty-eight question checklist has been received; is due October 1<sup>st</sup>; and, must be certified by the CFO. Input from both the CFO and Road Supervisor will be needed. The percentage of final State Aid payout to the Township could be reduced up to 5% depending on the number of ‘yes’ responses given. The consensus was that the Township cannot afford not to submit a completed checklist for as much credit as possible. Also noted was that the financial consequences could be significant. The League is requesting municipal assistance in evaluating the checklist and because of the impact it will have on municipal budgets both this year and next, they request feedback as soon as possible. The checklist will be reviewed in light of the League’s request for comments/concerns as well as a preliminary stab to determine Township points. A special meeting will be held September 21<sup>st</sup> at 9 a.m. to work on the survey.

As one of the questions on the checklist inquired whether elected officials attend basic courses on their responsibilities and obligations in local government, Mrs. Olsen inquired whether any of the Committee members would be attending the Annual League Convention in November. The pre-registration deadline is October 1<sup>st</sup>. Mr. Molnar will be attending and requested that he be registered.

#### **OPEN TO THE PUBLIC**

Bill Corboy spoke once again about numerous lots created years ago that have never been built upon. This was most likely due to perc problems/rules at the time but noted that the rules changed in 1995. His concern is for the low assessment assigned, unlike lots created through the subdivision process, and are owned by non-residents. He believes that the Township is missing a large source of revenue as these lots are assessed at 1/5 the value of lots such as his own. He is researching the issue but requested that Assessor Gill be asked to look at the number of lots that are deemed less than a building lot and not assessed at current value. Mr. Corboy feels that the owners of these lots enjoy a tax benefit and, unlike farmland assessed property, there is no roll-back when the lot is developed. His recommendation is to somehow require these lot owners to do perc and soil testing so that the assessment can be based on an actual building lot. In addition, it would behoove the Township Committee to know just how many lots of this type exist. Mr. Corboy also noted that when a property is preserved there is a site for a home carved out but that no assessment is made for that future home site. This is an inequity that needs to be addressed through the State and is a source of revenue. These lots are under-assessed and the owners should be paying for what could be there. As it is, every homeowner is subsidizing the owners of these lots, as without perc and soil tests, they are not deemed as valuable. The septic standards have changed over the years but this aspect has not been addressed and parameters need to be developed. Assessor Gill will be asked to respond.

John Haug inquired about the proposed garbage truck; if there is a plan to start curb-side pickup; if this could be looked into as some residents are paying \$600 for pickup; noted that not



everyone has a truck; and, believes people would pay more in taxes for the service. Mr. Molnar stated that the truck will be for depot only, with Mr. Fisher offering that with 22 square miles, curb-side collection would mean employing at least two more people.

Sean Pfeiffer asked about the liability that would be assumed by the Township, as opposed to using a 3<sup>rd</sup> party, and referenced the Combe's lawsuit. He questioned if the insurance company had been contacted and was answered in the affirmative.

Hal Shute noted, in response to Mr. Pfeiffer's comment, that Combe's was a 3<sup>rd</sup> party hauler. As for the Best Practices checklist, he observed the possibility that penalties applied this year are liable to be increased next year; questioned if monies given to the Township earlier in the year are now subject to be taken away; wondered if all this is ethical; and, was curious as to who would be grading/interpreting the answers. Mr. Shute suggested that an easier way to measure this would be to ask what the municipal budget is per capita—something that would indicate just how efficient a particular government really is. As this is not being asked, the checklist is a landmine for next year. He urged the Committee to be aggressive in opposing it.

Robin Horsnell requested that she be updated about the issue mentioned earlier in the evening.

Mayor Molnar thanked everyone for coming out this evening and for their input.

Mr. Masterson suggested that Zach Rich be given the information on the seminar discussed earlier as he would gain knowledge for the Township. This suggestion was met favorably by the other members and the seminar flyer will be e-mailed to Mr. Rich.

## **ADMINISTRATIVE REPORTS**

### **Treasurer –**

#### **RESOLUTION #125-2010**

WHEREAS, it has been determined by the Township Engineer of West Amwell Township that the following inspection fees can be refunded,

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 applicant:

Applicant	Amount Refunded
Mark Bowles	\$800.60

Fisher moved to approve the Resolution, Masterson seconded. Motion carried unanimously.

Presentation of Bills for Approval: Fisher motioned to approve the evening's bills for payment, seconded by Masterson, and carried unanimously.

Treasurer Report and Statement of Cash: Appropriations through August 31, 2010 were provided and reviewed. As of this date there is a cash total of \$3,825,975.68 between the operating and capital accounts.

Corrective Action in Response to Audit: The finding was that deposits to the Animal Control Trust Fund were not made within 48 hours as required by N.J.S. 40A:5-15. The corrective action will be that Township residents will be required to remit all checks for 2011 Dog Licenses to the Clerk's office to ensure compliance with the statute.

### **Tax Collector –**

#### **Refund Resolution for Block 31 Lot 13:**

County of Hunterdon}  
State of New Jersey}

#### **RESOLUTION #126-2010**

WHEREAS, an overpayment of taxes occurred when this property was designated as farmland assessed. Block 31 Lot 13 has a credit of: \$1,732.81.

This amount should be refunded to the property owners: William Roebling and Mary Foster.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Committee of the Township of West Amwell, County of Hunterdon, State of New Jersey to instruct the Treasurer to issue a check in the amount of \$ 1,732.81 for the refund of the amount overpaid on Block 31 Lot 13.

Make check payable to: William Roebling and Mary Foster  
Mail with a copy of this resolution to:

William Roebling and Mary Foster  
60 Brookstone Drive  
Princeton NJ 08540

Fisher motioned to approve the Resolution, Masterson seconded. Motion carried unanimously.

Monthly Report for July 2010: The monthly report for July 2010 was received showing receipts in the amount of \$73,685.42.

Certification of Property Tax Bill Mailing: A signed certification was received that the tax bills that were mailed included the required Statement of State Aid.

**Clerk/Human Resources –**

Letter of Intent to Retire from CFO – In compliance with the Policy Manual, Mrs. Luhrs provided a letter of her intent to retire as CFO as of 12/31/2010. She noted that over the course of her 20+ years of service to the Township, that she has worked with wonderful employees, committee people and volunteers and that everyone worked together to serve the community through the economic good times and the current difficult financial climate. The letter was received and accepted with regret.

S & W Resolution Amendment – It was explained that the Zoning Board secretary has resigned and that the Board has appointed a new secretary to serve through the end of the year.

**RESOLUTION #127-2010  
SALARY & WAGE RESOLUTION AMENDMENT**

BE IT RESOLVED by the Committee of the Township of West Amwell that the 2010 Salary and Wage Resolution, adopted February 3, 2010, be amended as follows:

Position	Salary/Compensation
<u>Remove:</u> Board of Adjustment Secretary Griffiths (effective September 1, 2010)	\$ 5,200.00
<u>Add:</u> Board of Adjustment Secretary Hall (effective immediately)	\$ 5,200.00

Fisher moved to approve the Resolution, Masterson seconded. Motion carried unanimously.

PARIS & Record Retention/Destruction – Clerk Olsen relayed that people hired by the County for this work will be coming here sometime this month. Her main focus will be getting disposal costs covered and receiving a recommendation of how to more efficiently structure the archive room.

**Construction** – The Permit Fee Log details, Monthly Activity Report-Permits (17), Payment Audit Report, Tax Assessor Report – Certificates (12) Monthly Activity Report-Certificates (12), and Certificate Log Detail were received for PermitsNJ.

**Court** – The report showed monies collected for the Township (\$47,342.79), County (\$17,205.51) and State (\$90,408.57) through July 2010. A distribution of tickets per officer was also received. The apportionment of the monies was questioned. Attorney Faherty advised that the differential depends on the type of ticket involved.

**Police** – The July 2010 Monthly Report showing 201 incidents, 108 summonses and 01 warning was received. The number of domestics were specially noted.

**Zoning Officer** - The August 2010 report of activities was received. Numerous phone calls,

interpretations and office meetings were noted, together with site visits and complaints. Seven permits were issued.

The motion by Fisher, seconded by Masterson to accept the reports as presented carried unanimously.

*The Committee entered their previously approved Closed Session at 9:30, returning to Open Session at 9:50 p.m.*

#### **CORRESPONDENCE**

The correspondence as listed on the Agenda was ordered filed.

#### **ADJOURNMENT**

There being no further business, the meeting was unanimously adjourned at 9:51 p.m. on motion from Molnar, seconded by Fisher.

Respectfully submitted,

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Lora L. Olsen, RMC  
Township Clerk