

WEST AMWELL TOWNSHIP COMMITTEE MEETING

September 9, 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 7:30 p.m. Present were Mayor Zachary T. Rich, Deputy Mayor Thomas J. Molnar, Committeeman George A. Fisher, Clerk Lora Olsen and Attorney Philip J. Faherty III. Also in attendance were Hal Shute, Steve Bergenfeld, John Dale, Cathy Urbanski, and John Cronic.

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

Deputy Mayor Molnar led the assembled group in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following items were deleted: 13. Administrative - A & B

ANNOUNCEMENTS

The following announcements were made:

- Ongoing E-cycling on Saturdays @ Township Depot, 8:00 a.m. to 12:30 p.m.
- West Amwell Regionalization Town Hall, Sept 18th, 7 p.m.
- Special School Election – September 24th, 7 a.m. to 9 p.m.
- Special Senatorial General Election – October 16th, 6 a.m. to 8 p.m.
- Hunterdon County Computer & Electronics Collection – Oct 12th, Rt 12 Complex
- Hunterdon County Hazardous Waste Collection – Nov 9th, Rt 12 Complex
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The following Closed Session minutes were unanimously approved on motion from Fisher, seconded by Molnar.

July 29, 2013

August 15, 2013

The August 28, 2013 Regular meeting minutes were approved on motion by Fisher and seconded by Rich. Molnar abstained.

The June 26, 2013 Closed Session #5 & 6 were held.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

SPECIAL PRESENTATION(S)

Regionalization: Mr. Beaumont was not in attendance. However, Mr. Rich relayed that parents are concerned that the merger will break schools into K-3, 4-6, etc. Also, that Stockton's support is questionable. The next town hall meeting will be held in West Amwell on September 18th.

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Public Hearing: Ordinance 11, 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 August 22, 2013 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the August 15, 2013 Township Committee meeting. Mr. Rich read the Ordinance by title and opened the public hearing.

John Cronce questioned the reason for the ordinance and was advised that the salary range had to be changed in order to pay the new person in the MHL position. Hearing no further comments, the public hearing was unanimously closed.

Fisher motioned to adopt the Ordinance and Molnar seconded. Motion carried unanimously.

Public Hearing: Ordinance 12, 2013 AN ORDINANCE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE ESTABLISHMENT OF A GOVERNMENT ENERGY AGGREGATION PROGRAM

Proof of publication in the August 22, 2013 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the August 15, 2013 Township Committee meeting. Mr. Rich read the Ordinance by title and opened the public hearing.

Mr. Cronce questioned whether residents will be able to opt-out. He was advised that this could be done at any time. A letter with a post card for this purpose will be sent to all residents. Mr. Fisher also explained that the bid process will determine the cost and that the target is a 5 to 15% savings. There are BPU protections by going this route which are not available with outside marketers. It was also noted that Gabel Associates does the energy aggregation for all schools in the State and therefore, the only one with a track record. Mr. Rich added that the bid could be for either a 12 or 24 month period and eliminates energy usage spikes during various times of the year.

Hal Shute inquired as to whether all residents were noticed or if only those in 08530 received the letter. The logistics of the bulk resident mailing to those residents with different zip codes was noted. However, Gabel will be questioned about this. He also found it interesting that larger users will find no tiers with this program.

Hearing no further comments, the public hearing was unanimously closed.

Fisher motioned to adopt the Ordinance and Molnar seconded. Motion carried unanimously.

Public Hearing: Ordinance 13, 2013 AN ORDINANCE AMENDING ORDINANCE 8, 2013 AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS BLOCK 29, LOT 16 IN THE TOWNSHIP OF WEST AMWELL FROM WOODEN AND/OR D&R GREENWAY LAND TRUST, INC.

Proof of publication in the August 22, 2013 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the August 15, 2013 Township Committee meeting. Mr. Rich read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was closed.

Fisher motioned to adopt the Ordinance and Molnar seconded. Motion carried unanimously.

Attorney Faherty spoke to the matter of the closing, citing three particular issues that are causing problems and noted several other hoops to jump through at the State level. Attorney Dragan is trying to get D&R to close on a couple of items and to get the title company to escrow for the 'zero' tax liability. The closing is scheduled for 12:30 p.m. on Friday. County money is in place, per Mr. Shute, and the CFO will need to wire Township money to Attorney Dragan once the numbers are set.

STANDING COMMITTEE REPORTS

Open Space

- *Authorization to Post June 11, 2013 Minutes to Website:* Approved
- *Status of Auction for Block 8 Lots 20 & 36:* Mr. Shute relayed that the auction is now proposed for November 14th as this will give ample time for advertisement as requested by the SADC and will align with their December 12th meeting. He also noted that Attorney Dragan is unavailable to assist with this effort until after the Wooden project is completed. A banner is in the works and the possibility of using Craig's list mentioned.

The proposed November 14th date was questioned by Mr. Cronce, who offered an impassioned plea to wait until spring due to the many items that have to be attended to as well as the hunting club's concern over their contract and safety issues. He also held that the property would show

better in the spring. A lengthy discussion ensued between Township Committee members and Mr. Cronce over the former's desire to get the property sold and the latter's concerns over timing. Steve Bergenfeld suggested using the MLS to advertise the property. This will be investigated further. The use of a realtor is not possible as the Township cannot pay commission. Mr. Cronce relayed his conversation with a local realtor who believes that the Township would only get 'bottom feeders' by marketing the property themselves. The difficulty of selling public property given the various issues encountered was noted as well as the fact that the State is okay with Max Spann and uses their own website. Auctioning the property in November with a March closing date was offered for consideration. The consensus was that the property needs to be marketed correctly but also that a recommendation from the full Open Space committee is needed prior to making a final decision.

Fisher motioned to authorize the mayor to decide the matter after Open Space makes its recommendation. Molnar seconded. Motion unanimously approved.

- *Project Status Updates:* Mr. Cronce relayed that all projects on moving along.

Environmental

- *Sustainable Jersey Update:* Cathy Urbanski reported that the mapping cost has reached \$6200 and is not yet finished. However, there's \$2000 left in the grant, so things should squeeze by. Map updates can be obtained through Banisch Associates for \$100/year in lieu of getting our own GIS system. She also noted that half of the easements have been monitored. Mr. Fisher voiced support for the mapping project and the need to get it done, even if some other money has to be allocated.

- *319h Grant Update:* Mrs. Urbanski relayed that the rain garden project at South is underway. The homeowner association at Orleans is thrilled with the detention basin proposal. De-commissioning the pond on the Alexauken Wildlife Center is in the works.

- *Well Water Testing:* There's been a good reception to the well water testing flyers. Kits will be sold on Saturday but Mrs. Urbanski needs access to the building before 8 a.m.

Ag Advisory

- *Authorization to Post April 4, 2013 & August 1, 2013 Minutes to Website:* Approved
- *Request to Print & Mail "Farm Products for Sale" Brochure:* Approved

Recycling

- *Cleanup Day Flyer:* Approved for distribution at the Saturday depot. The first date is September 28th from 1-3 p.m. Subsequent dates TBD.

UNFINISHED BUSINESS

Possible Appointments – None

Updates – 1) The first of weekly conference calls for the SHREC **solar** project is scheduled for Monday at 4 p.m. Information on how to join in was distributed by Mr. Fisher. The lease payment will begin once the system is up and running. The amount of the payment will depend on the acreage involved. The agreement is for \$6000 per acre. Whether or not there could be a charge for access was raised by the mayor. Mr. Fisher further relayed that the elementary school has submitted their paperwork, so the assumption is that they are in. The phase 1 environmental questionnaire has been completed; the project will go to the Planning Board; no other approvals are needed except for the acquisition of building permits; the construction schedule and engineering will be accomplished once the interconnects are in place--the one for the grammar school is completed, the high school has been approved but a new transformer is needed and will be paid for by the developer; and, no interconnect is required for the Township. 2) As to when the new **website** might go live, Mrs. Urbanski reported that there's still a lot to be done and that the company does what they want and have changed things without authority to do so. The matter is most frustrating. It'll still be awhile before it is ready and there's a whole year's worth of catching up to do. In the meantime, another bill has arrived from Qscend for website development in the amount of \$2400.00. The mayor requested that this new bill also be held. 3) Mr. Fisher is still waiting to hear back from Alan Horton concerning **generator** proposals and specs. Mr. Molnar relayed that he's not heard from Mr. Meskill either. 4) Attorney Faherty reported that the title search for **Block 23 Lot 12** should be available soon but that a new wrinkle has emerged in that the house sits in the New Market historic district, which may offer other problems. Sending a letter to the owner, once determined, to 'do something' with the property was suggested. 5) Mr. Rich reported concerning the ongoing problem of **work without permits/construction** that letters have gone out from the Assessor. 6) The next **on-line auction** is scheduled to begin September 27th and close on October 10th in an effort to

sell the 2007 Durango. The ad will be published on September 19th and 26th in the Democrat. 7) As requested earlier, proposed **DPW equipment** purchases include 100 traffic cones, 10 ADA barricades and 30 STOP sign faces to comply with current regulations. The purchases total \$4,308.00 will be obtained through Traffic Safety Service via bids solicited by the Somerset Co-op, of which the Township is a member. Mr. Molnar added that he will reach out locally for quotes to replace the roof on the municipal complex garage. He's looking for this to be tin rather than asphalt shingle. Color to be determined.

Resolution Awarding Firehouse Replacement Doors – After a couple attempts to obtain quotes, success has been achieved with the results as follows:

RESOLUTION #140-2013

WHEREAS, there is a need to remove and replace the front and rear double doors at the dining room and kitchen areas of the firehouse; and

WHEREAS, quotes were solicited by the Township Clerk and received as follows:

The Door Center	No response
Kemler Doors	No response
North American Window & Door	Not able to quote product
Hunterdon Siding & Window Co	\$10,619.25
Jammer Doors	\$ 6,825.00

WHEREAS, the quotes are under the bid threshold; and

WHEREAS, the apparent low quote was provided by Jammer Doors 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 front and rear double doors at the firehouse complex be awarded to Jammer Doors.

Fisher motioned to approve the Resolution and Molnar seconded. Motion carried unanimously.

Liquor License Resolutions – ABC will not allow two different transfer dates. Therefore, the person-to-person resolution has to be rescinded and the place-to-place amended to reflect an October 30, 2013 date.

RESOLUTION #141-2013
Rescinding Resolution #136-2013

BE IT RESOLVED by the West Amwell Township Committee that Resolution #136-2013 Person-to-Person Transfer is hereby rescinded.

Rich motioned to approve the Resolution and Fisher seconded. Motion carried unanimously.

RESOLUTION #142-2013
Amending Resolution #137-2013

Resolution for Person-to-Person & Place-to-Place Transfer

WHEREAS, an application has been filed for a Person-to-Person & Place-to-Place Transfer of Plenary Retail Consumption License Number 1026-33-0001-006, issued to Vinesse Corp. for premises with a mailing address of 19 Pine Hill Road, Delaware Township, New Jersey;

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;

NOW, THEREFORE BE IT RESOLVED that the West Amwell Township Governing Body does hereby approve, effective October 30, 2013, the Person-to-Person & Place-to-Place Transfer of

the aforesaid Plenary Retail Consumption license to Pine Creek Liquors, Inc. located at 394 Rt 31, West Amwell Township, New Jersey, and does hereby direct the Township Clerk/A.B.C. Board Secretary to endorse the license certificate as follows:

"This license, subject to all of its terms and conditions, is hereby transferred to Pine Creek Liquors, Inc. with a premise address of 394 Rt 31, West Amwell Township, New Jersey."

Fisher motioned to approve the Resolution and Molnar seconded. Motion carried unanimously.

Zoning Official/Continued Discussion – The decision was to appoint Chris Rose to this position and provide a mileage reimbursement/stipend in lieu additional salary.

RESOLUTION #143-2013

WHEREAS, the Township of West Amwell has need of a Zoning Official; and

WHEREAS, interviews were conducted with potential applicants; and

WHEREAS, the considered opinion of the Committee is to have Chris Rose assume the duties of Zoning Official; and

WHEREAS, Chris Rose has accepted the Township's offer for the position

THEREFORE, BE IT RESOLVED that Chris Rose be appointed to an unexpired term as Zoning Official, effective immediately

BE IT FURTHER RESOLVED that this appointment expires on December 31, 2013

Fisher motioned to approve the Resolution and Molnar seconded. Motion carried unanimously.

NEW BUSINESS

Committeeman Resignation Effective September 30th – Mr. Molnar read the following into the record:

It is with great sadness that I submit this letter of resignation as township Committeeman. As you all know, I will be moving out of the Township in the next few weeks, so I will no longer be able to serve. I have enjoyed working with you all for the last few years. I believe that the committee that we have now is the best we have had a quite a few years. I commend you all for your hard work and enthusiasm. This shall take effect on September 30, 2013. Respectfully, Tom Molnar"

Mr. Fisher stated that he hates to see Mr. Molnar leave and that it's been a pleasure working with him—a sentiment echoed by the mayor, who also noted that they've had a lot of fun; there's been three good years; and, that Mr. Molnar had been through the bad times.

Mrs. Urbanski requested that Mrs. Olsen contact Randy MacDade, chair of the Municipal Committee, with this information.

OPEN TO THE PUBLIC

Mr. Cronce expressed appreciation to Mr. Molnar for all his work on various committees and the excellent help given to the various boards. He wished him much luck and happiness.

Mr. Shute noted that Mr. Molnar still has one more meeting.

ADMINISTRATIVE REPORTS

Court – The July 2013 monthly report was received showing a ticket total of 420 (267 local) and receipts of \$11,572.06.

Website Review – Held

The Court report was accepted without question or comment.

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 8:20 p.m. on motion from Molnar.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk

APPROVED: September 25, 2013