

WEST AMWELL TOWNSHIP COMMITTEE MEETING
April 7, 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 7:05 p.m. Present were Mayor Molnar, Committeeman George Fisher, Attorney Philip J. Faherty III, and CFO Luhrs. Mr. Masterson was out of town. A standing room only crowd was present.

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

The Township Clerk led the assembled group in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following items were added: 7. Budget Information Session. 10.B JCP&L was deleted.

ANNOUNCEMENTS

Mayor Molnar made the following announcements:

- Filing Deadline for Municipal Petitions – April 12th, 4 p.m.
- Annual School Election Sample Ballot Available at <http://www.co.hunterdon.nj.us/countyclerk.htm>
- School Board Elections – April 20th, 3-9 p.m. in the Municipal Building
- Free Rabies Clinic – May 1st, 1-3 p.m., Township Garage
- 2010 Dog Licenses are Overdue – Late Fees Apply
- Rt 31 Milling & Resurfacing Public Information Session – May 13th, 7:30 p.m., East Amwell Township municipal building
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The minutes listed on the Agenda were held.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

Ron Shapella expressed concern over the secret meetings of the Finance committee as it is the only advisory committee that he knows of that meets that way. The reason given previously for this was that Hal Shute was concerned that the ideas bounced about might be embarrassing. As the group has had two months to air ideas, he inquired if the meetings can now be opened to the public. Mr. Fisher assured Mr. Shapella that the public can attend these meetings.

Mr. Shapella then asked if the Police Study committee is also open to the public. He was informed that the meeting with the Lambertville group is scheduled for April 8th at 7:30 in the municipal building. Attorney Faherty advised that the meeting can be open unless Michael Capabianco states otherwise and that the committee was formed to negotiate for a new police department—not a merged one. Discussion ensued over the OPMA and applicability to advisory committees.

Hal Shute came forward to correct some statements that were made. It was not embarrassment driven but rather a more effective way to discuss ideas prior to making them public. He noted that at the State level, advisories are not open. However, if the public has some constructive ideas, they are welcome to attend. The next meeting will be here on April 22nd at 7:30 p.m.

Dawn Serio inquired about the membership of the group; if there are any openings; how the appointments were determined; and, how the expertise of the individuals was determined. She was advised that the group is comprised of residents from the business and financial world as well as entrepreneurs who can think outside the box. Their purpose is to look for ways to generate revenue for the Township. Mr. Molnar added that there's a form available on the website for residents complete and submit in order to communicate their interest in serving on

various committees and boards. A brief exchange occurred about not being called to serve on the police task force.

Harry Heller, OEM Director, came forward about the March 23rd meeting of the Northern Delaware River Region, New Jersey All-Hazards Pre-Disaster Mitigation Plan, which is a State mandated program. Basically this is trying to fix something before it happens. The Township will need to look at possible problems, come up with a resolution, and arrive at an agreement with the County. As for cost, the volunteer wages are zero; but the OEM Director rate is set at \$25/hr for purposes of the project. The Township won't actually pay this but is required to keep track of the hours spent. Mr. Heller offered that all are welcome to attend the meetings.

Mr. Molnar relayed that during the various storms, Mr. Heller keeps the Committee informed via e-mail alerts. A thank you was given. This appreciation was extended by Mr. Fisher to the Road Department, as Township roads were good here compared to where he had been traveling, and to the Police Department. All received a round of applause.

Jason Fuhr stated that he had been contacted to give an update on the Municipal Alliance but had declined. He then received some calls to attend. He gave a brief sketch of what the alliance does and noted that more members are needed. Mr. Molnar offered that Mr. Fuhr and West Amwell have been the lead municipality for the past several years.

Sean Pfeiffer inquired about appointments and the Citizen Leadership form process. He also requested clarification as to if the form was given to people to fill out.

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

Budget Information Session:

Mr. Molnar relayed that Mr. Fisher and the CFO have been working on the budget, that they will explain what has occurred and what has been done in light of the e-mail speculation that has been circulating in the Township.

Committeeman Fisher overviewed 'where we are' and reviewed budget numbers from 2006 through 2009. The 2010 requested budget was \$3,535,049 with the cap of \$3,025,768 million, which necessitated a budget reduction of \$509,281. When Governor Christie spoke about cutting State Aid, the Township assumed a 15% reduction. This became a 24.4% cut after the March 16th speech and the budget hole became \$306,000. Together with the governor's call to keep taxes down, there's a 4% cap on the tax levy. Mr. Fisher then gave a review of budget trends, including amount of surplus available on January 1st of each year, the surplus used for the respective budgets, and the State aid received. In 2006 there was a surplus of \$978,630; in 2010, that number is \$298,646. State aid for 2006 was \$1,458,405; in 2009 it was \$1,268,629. For 2010, the Township will receive \$962,256 but can only use \$150,000 from surplus. The Committee had previously cut \$306,000 from the budget but now finds that the number has grown to \$509,000. Therefore, the current plan is to cut \$220,000 from legal, cut salaries by 15% and reduce staff and overhead costs by \$215,000, save \$20,000 by moving some maintenance costs to Open Space, reduce the Open Space tax, and apply for a cap waiver. If the latter is denied, staff will be further reduced. A brief exchange occurred about the lawsuit, where it stands and the cost.

Mrs. Luhrs explained further that the budget is made up of revenues and expenses. The last few years have seen cuts to State money to the Township and surplus has been used instead of raising taxes. This, in combination with the high legal expense, has meant the use of more surplus in order to balance the budget. The surplus has not been replenished due to a drop in revenues and this reduced revenue is a hit to surplus.

Mrs. Serio requested that construction violations be looked into before jobs are cut and cited personal experience.

Bill Corboy inquired about the fees collected for garbage and that there should be around \$100,000 over last year. He was advised that the fees amount to approximately half of the \$90,000+ cost, was counted as revenue but that the number of cards is down so far this year. Also that the cap waiver received last year is hurting the Township this year.

Richard Schaible questioned the number of cards sold and stated that he's only been checked once. He suggested that the person currently doing community service be assigned card check duty. Mr. Fisher relayed that Mrs. Hoagland has the list and is helping with enforcement.

A particular resident, who did not state her name, charged that the Township could lose police due to the lawsuit; inquired when the settlement would come; wondered about the possibility of receiving more money from Trenton; and, if lay-offs could be revisited if the legislature changes its mind. Mr. Fisher explained that the lawsuit is waiting on a ruling from the judge to dismiss and negotiations are taking place with the police. Another offer was just received and is not reflected in the numbers presented this evening. The desire is to keep the police in-house but a \$500,000 salary number is horrendous and that the total operational cost for the department is \$750,000/year. The legislators have been contacted about the Governor's proposed budget; the legislature still has to look at it; and, the Township cannot run on possibilities.

Ed Skillman stated that his pet peeve is the overtime issue. ESC ties officers up and domestics take 6-8 hours. If an arrest is made, another officer has to be called in. There are not enough men on the police force to begin with. Mr. Molnar confirmed the ESC problem in that Patrolman Kendig missed a recent meeting due to a call to that facility.

Dawn Serio inquired what was being asked from the police and if more cuts will be needed. Mr. Fisher's response was that the police payroll is approximately half of the total for the Township; the goal is to spread the pain evenly; and 15% is being looked at. Further cuts are an unknown but the police are working on a written agreement so that numbers can be put into place.

Rob Tomenchok inquired about the negotiations and was told that the contract was opened for this year. It is not about the police study.

Questions from the floor were raised concerning what would happen if the number is not reached; the number of men in the department; why is the Township spending on open space as police are needed, not real estate; if the open space tax would be reduced; and, if there would be a vote on disbanding the police department. It was explained that the open space money is in a dedicated trust and the rate can only be changed through referendum. To the latter, a comment was made that there should be a vote against open space and designate the 2 cents to the police as there has to be a way to keep the force.

Dawn Serio raised the issue of the police study; that disbanding the department is easily done by resolution; that the study was commissioned by the Township; and, that disbanding the department is discussed in the document.

Sean Pfeiffer asked what the Township Committee is taking in salary. The answer: Zero.

Ron Shapella inquired what is being done to get back the \$300,000. He compared this to 2008 when, a week after the governor's announcement, there was a plan in place to write and call the legislators. The State legislators and League representatives came to the Township and a decision was made to go for Extraordinary Aid. He suggested that a similar mobilization may have the same result; noted that Trenton doesn't know about the problem; believes that the reduction is legally wrong; that the Township is looking for the Committee to lead a similar program; that the legislators should be invited to a meeting; and, that Trenton needs to be flooded with phone calls and letters. Mr. Fisher relayed that the representatives were contacted and that he spoke at length with Senator Doherty. It's the Governor's budget and even the League has not appealed. He disagreed that Trenton is unaware of the problem and noted that in 2008 the municipalities were restored as a group.

Bill Corboy inquired whether the Times article that he sent was received and it was acknowledged that it had been. Mr. Corboy then relayed that in 1991 the Township lost all aid. This was fought and the money restored. In 2008 the money was lost a second time. Another fight ensued, testimony was given before the legislature, and the money was returned. He urged that the Committee to not count this out. Mr. Fisher stated that the Township is involved in all the fights but they're not bearing fruit as yet.

Elise Ennis spoke to the disbanding of the police department rumor; the proposal to go to 12 hours shifts; services contracted out; and, if there will be 24 hour coverage. It was acknowledged that there are multiple discussions taking place and that the police have made a proposal to help the Township through the crisis but time has not allowed for it to be reviewed. Mrs. Ennis stated that last year the Township wanted the 4% back; the police have a five year contract; and, the township has been aware what the contract stated. She acknowledged that times are tough and everyone has to give back but this document is the constant that spelled out everyone's salary—the only variable being overtime. Mrs. Ennis charged that the township has been picking at numbers, pulling 15% here and there, and reducing overhead. Also that for

years there have been deputies to almost every position in the township and she understands that there were pretty big raises given to some employees a few years back. She heard this song last year so this problem just didn't happen overnight. Mr. Fisher countered that Mrs. Ennis has to realize the total salary for the township is \$1.1 million, with police at \$557,000 and everyone else 500,000. If there's not movement with the police contract, it means that everyone in the township has to get laid off, except police, and that the figure given doesn't include their overtime and benefits. The township cannot be run with police only and that's what would have to be done with the \$509,000 cut that needs to be made. This is why the police contract was opened and the problem may be solved by tomorrow morning. As for a guarantee of 24 hour coverage, if things are successful, nothing will change. If not, next steps will have to be looked at.

Mrs. Ennis inquired about the number of full time employees; the cost of heat and a/c; and having schedules conducive to economizing on energy costs.

It was relayed, in response to a question shouted from the audience that the police should be brought here, that this has been looked at. An elevator would be needed and the cost would run around $\frac{3}{4}$ of the million dollars. Even if the police were to be moved, there would still be costs associated with the other building.

Joe Petrucci stated that he supports the police and appreciates the guys who work here. We have an ESC school that is a constant burden and asked if we profit from this facility as these are not our children. The students are out-of-district but are on our dime. There needs to be a way for ESC to pay for their own security to help the Township's burden. Our police should not have to go there; the Township doesn't have the money; and, all this needs to be kept in mind during negotiations. Mr. Petrucci then relayed that there was an incident on his street and in the midst of the break-in, he received a call on his personal phone from a patrolman asking if his alarm was on. He was impressed that the patrolman's concern was for him. The police are a necessity...a priority. Mr. Molnar stated that everyone agrees and that the Committee is trying to save the police.

Laura Jones expressed appreciation for the police department as her two year old went missing for 30 minutes and she wanted it on record that she personally appreciated the police. The response time was just minutes.

Bruce Gage understands the job before the Township and there's lots of talk about cutting. A way needs to be found to bring money in as the State is broke and the new Governor has gotten the title 'axman.' He urged that the Committee not rely on the State because it's not going to happen and that the problem is up to the Township to solve. With the choices and plan under consideration, he asked if the tax rate would stay the same. He noted that everyone has their own financial concerns and most are happy to have a job. His counsel was to spend wisely; do not disband the police department or merge with Lambertville City. He, too, has had experience with the police in that Lt. Barzak saved his life in 2004. Mr. Gage stated that he is willing to write a check to help the police but ideas are needed to generate revenue and how we can help ourselves. He volunteered his time to do whatever he can to help. The response given to the tax increase by Mr. Fisher was that at this point taxes were being held to a 2.5 increase. The basic problem is that the Township cannot raise taxes to meet the needs.

Frank Williams stated that there were three things that mattered to him—lawsuit, the police department and the police study. In the Committee's quest to seek options, it's important to realize that in a community like this, the police department is a large part of it. He knows from personal experience that when police know what's going on in the community, it has a great effect on how well they do their job. Mr. Williams commented that if money is spent on various studies to find out that what we have is the best thing going, it's not been a help. The opening of the contract is huge as police don't usually want to do that. The fact that it's been opened shows respect to the Township, to the Committee and the residents and that this doesn't deserve to be undermined. Mr. Williams stated that he too is a cop, and in the background he still sees studies to take the police department out of our hands. It was his hope that the process in place will alleviate the problem.

Keith Bush stated that his home was violated last week so he values the police department. There's not a lot of extra help given coverage for the three shifts. It is not a good feeling to have one's trust violated and valuables taken. He values his safety and requested that the police budget be kept. Mr. Molnar offered that his property was vandalized many times when he first moved into the area. The perpetrators were finally caught and there was always a prompt

response. He, too, does not want the department to go away.

Wayne Boan noted that everyone is trying to help out; that he loves the guys; and, is doing qualifications and ammo for nothing. It is time to stop this and let them keep their jobs. He also questioned why the Committee is even entertaining Lambertville. He suggested that a meeting be held with the police department to straighten this out and put their minds at ease as they are worrying about their jobs. Mr. Boan also expressed concern that someone could get hurt. Mr. Fisher explained that the study commissioned was just recently completed and that all alternatives have to be looked so that due diligence is done. He's aware of what's going on but with all the rumors, no one contacted anyone at the township prior to this meeting. Also relayed was that conversations have been held with the department, the last just two hours ago.

John Marshall spoke about the police study and the Lambertville police department. He's read the study and it comprised three municipalities. East Amwell is out, Lambertville has a lot and West Amwell is doing the job. East Amwell's taxes are lower than ours but they have no police department. Lambertville has a Director, two sergeants, 7 officers, 2 crossing guards and two parking violations people. He stated that he's seen two Lambertville police parked in the Lambertville Station BSing or patrolling the Station and treatment plant. Most of Lambertville's cops live outside the area so don't know us and our cops don't call them for back up. The Director is also not from the area. His position is that the force is over-supervised and going wrong if one looks at the lawsuits and officers. Neither Lambertville nor the State Police will patrol Rock Road or Mt. Airy. Township cops know us, we know them, and they're worried about themselves and their families. When George Stymiest had a problem, he called the State Police. Now the stations at Flemington and Wilburtha are gone and there's only Kingwood. Mr. Marshall sees Patrolman Kendig following the school bus and taking care of our kids. He doesn't want to lose the local police force and is behind them 100%.

Zach Rich was in agreement concerning the police but noted that the reason for the talks is due to the township's financial position. There's no economic plan for the township and this is something that needs to be addressed as things will get worse. The State will cut township money again so there's a need to be financially independent. Everything is down to revenues and expenses. His recommendation was that everyone in attendance tonight get involved. The system is not perfect but it has to be worked through and solutions found. He urged everyone to step up to the plate. There will be property tax increases but the solution takes everyone's participation.

Betty Jane Hunt offered that Mr. Molnar and Mr. Fisher have worked 24/7 on this problem and stated that a lot of it was inherited. They deserve credit.

Dot Loesch recommended that someone check with the Katzenback school in Ewing Township. She worked there for years and when they had problems on campus, it was not Ewing Township Police that got involved but police from Human Services. This might be something that ESC could investigate and have a human services officer on site. With the type of student that attends the ESC school, they're most likely involved with Human Services all ready and this should be investigated since there is a problem. Mr. Molnar agreed that with 94% of the kids at ESC coming from the Trenton area, it shouldn't fall to our police.

Bill Corboy relayed that there was a similar complaint three years ago and that he met with folks at the Titusville Academy. He also had several meetings with Dennis Cox who was told to curtail the use of the police department for daily problems and to do their own security. The situation was reduced for awhile but now appears to have spiked. He suggested that it is time to speak with Mr. Cox again about not using our local force.

Rob Tomenchok commented on the police study and that the purpose of the ad hoc committee was to read, understand and evaluate the study to provide due diligence and spread the workload. It is not a good study; there are missing pieces; and, public input was taken from someone passing through who had stopped at the Village Deli. He noted that while he was building his house, the police were there every night. The guys are tops. As to what can be learned from the study, there are lots of ideas to be distilled before a presentation to the Township Committee can be made and an informed decision arrived at. He asked that the public trust the study group with this task as they are not half-cocked and live here too.

Mr. Molnar suggested to those in attendance that if they have an idea, they should e-mail it to the Clerk who will disseminate the information to the Committee.

Dawn Serio picked up on the comment about police not merging but the need for a different type of department saying that there was no mention of Delaware. The response to this by Mr. Fisher was that the study was done to see if there could be a regional department and how it should be set up. Police Departments are expensive to maintain with the training and equipment needed and to spread the cost over 1100 homes is a lot. The idea is to find a way to save money. The study was originally commissioned by the Hunterdon County Chamber of Commerce. Although the report is marginal, it has to be looked at. Mr. Molnar added that Delaware Township didn't want to be involved and may be able to fund a department more easily.

Mr. Fisher addressed the residents by saying that the problem is money, not the Police Department, and that there may be a solution after the numbers submitted earlier are reviewed.

Hal Shute stated that there's an account for donations for the Open Space program and wondered if something similar could be done for the police? Mrs. Luhrs noted that donations are only for capital projects, not operations.

Bruce Gage came forward again to urge outside the box thinking; that a township effort will be needed to maintain quality of life; proposed fund raisers; and, suggested that everyone get involved in the community so as not to give up power to others.

Glenn Baran spoke as a resident and employee, and agreed that the residents need to step up. The township has great police, fire and township departments. He noted that one expense is the Fire Department. There's a dinner Saturday night and requested that there be support from the community. Also noted was that years ago he and his late wife played Bingo at the fire house. The Fire Company could use a hand to relieve some of the pressure on them and that they need money as well. Mr. Molnar noted that he helps out with the fire house dinners and that there are three meals a year. Anyone who would like to help was encouraged to leave their name and number as help is always needed.

Cindy Bednar spoke about the previous letter campaign to restore money. It was great but this will not happen with Governor Christie. Everyone is doing their best.

Mr. Fisher concluded that Committeeman phone numbers are listed and urged residents to get on committees as new faces and ideas are welcomed...and come out for the roast beef dinner.

Howard Hope of Hewitt Road came forward to state that the Police Department is good but he doesn't see them. He has a problem with quarry trucks as there is no sign on Hewitt saying that they can't use it and without a sign, there can be no enforcement. The truck traffic starts between 7 and 8 a.m. He requested that signs be put into place. A determination has to be made as to the type of sign needed.

A five minute break in the meeting was taken. The regular meeting resumed at 9:05 p.m.

Public Hearing: Ordinance 2, 2010 AN ORDINANCE ACCEPTING A DEED CONVEYING ROADWAY EASEMENTS FOR VARIOUS STREETS IN MOUNT AIRY ESTATES (continued)

The public hearing was carried from the March 3, 2010 meeting. In response to a question by Hal Shute, Attorney Faherty reported that the bridge is under County jurisdiction per his conversation with Engineer Clerico. Mrs. Olsen noted that a check for the deficiency in the current escrow and a maintenance escrow for \$2000 has been received. Hearing no further comments, the public hearing was unanimously closed on motion by Fisher, seconded by Molnar.

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

Acceptance of Maintenance Bonds – Received unanimously on motion from Fisher, seconded by Molnar

Public Hearing: Ordinance 3, 2010 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Proof of publication in the March 11, 2010 issue of the Hunterdon County was presented. The

ordinance has been posted and available to the public since its introduction at the March 3, 2010 Township Committee meeting. Mr. Molnar read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was closed on motion from Fisher, seconded by Masterson and carried unanimously.

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

Public Hearing: Ordinance 4, 2010 BOND ORDINANCE PROVIDING FOR RECONSTRUCTION OF A PORTION OF ROCKTOWN HILL ROAD, FOR AND BY THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$305,000 THEREFOR, INCLUDING \$100,000 EXPECTED TO BE RECEIVED AS A GRANT FROM THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION AND \$200,000 EXPECTED TO BE RECEIVED AS A GRANT FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION, AND AUTHORIZING THE ISSUANCE OF \$100,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Proof of publication in the March 11, 2010 issue of the Hunterdon County was presented. The ordinance has been posted and available to the public since its introduction at the March 3, 2010 Township Committee meeting. Mr. Molnar read the Ordinance by title and opened the public hearing.

John Cronic questioned the cost to the Township and was informed that it would be minimal.

Hearing no further comments, the public hearing was unanimously closed on motion from Fisher, seconded by Molnar.

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

Introduction: Ordinance 5, 2010

Mr. Fisher relayed his recent conversation with the Construction Official specifying that the office has to 'zero' out. This ordinance is a tentative move to dissolve the department and turn it over to DCA but he is negotiating with the building department.

John Marshall commented that the move to the State would make construction more difficult and more expensive. Residents/contractors would be at the mercy of the State for inspections, which take forever. It is not beneficial to the Township to lose the local office. Building is down but the local guys are tops with the safety aspect. The same service will not be gotten from the State.

Mr. Fisher noted that to postpone moving forward will cost the Township. Mr. Molnar offered that if the staff can work for less, it might save the department. However, the process cannot be delayed.

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

AN ORDINANCE AMENDING CHAPTER 68, CONSTRUCTION CODES, UNIFORM, OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY, AND TRANSFERRING JURISDICTION FOR THE ADMINISTRATION AND ENFORCEMENT OF THE UNIFORM CONSTRUCTION CODE TO THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of West Amwell, in the County of Hunterdon, State of New Jersey, that

I. Section 68-1 of Chapter 68 of the Code of the Township of West Amwell regarding the function and duties of the West Amwell Township Building Department, are hereby repealed, effective upon the assumption of jurisdiction by the State of New Jersey, Department of Community Affairs, as provided below.

II. The following new Section 68-1 of Chapter 68 Construction Codes, Uniform, of the Code of the Township of West Amwell is hereby established as follows:

68-1. State Uniform Construction Code Enforcing Agency

68-1.1 Relinquishment of Jurisdiction. The Township of West Amwell pursuant to N.J.S.A. 51:27D et seq. and N.J.S.A.C. 5:23-4.3, hereby relinquishes its jurisdiction of the administration and enforcement of the Uniform Construction Code and hereby transfers jurisdiction for the administration and enforcement of the Uniform Construction Code to the Department of Community Affairs of the State of New Jersey. The transfer of jurisdiction pursuant to this section shall not take effect until the expiration of 120 calendar days from the date a certified copy of this section is forwarded to the Department of Community Affairs or until the Department of Community Affairs shall exercise its jurisdiction to enforce the Uniform Construction Code, whichever is sooner.

68-1.2 Records and Files. The Township of West Amwell shall deliver or make available to the Department of Community Affairs any and all records and files of the municipality necessary for the Department to carry out its function, and the Department is hereby authorized to transfer such records and files to a location designed by the Department.

III. Severability. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

IV. Repealer. All Ordinances or parts of Ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

V. Effective Date. This Ordinance shall take effect after final passage, adoption and publication according to law.

Fisher moved to introduce the Ordinance on first reading and Molnar seconded. Motion carried unanimously. The public hearing will be held May 5th.

SPECIAL AND/OR STANDING COMMITTEE REPORTS

Open Space

- *Request of Post December 2009 & January 2010 Minutes on Website:* Approved
- *Update on March 16th Closing on Toll Property:* Sean Pfeiffer shared that the closing was attended by the mayor, representatives of Toll and Hunterdon Land Trust and their respective attorneys. The Police Department has been requested to keep an eye on the property and Glenn Baran has posted a chain near the bridge. Mr. Pfeiffer relayed that he met with Max Spann about sale preparations. \$220,000 is due from the County but Mr. DeSapio is on vacation.
- *Open Space Invoices:* Approved for further processing were: Cortes & Hay Inc. (Toll) \$4,655.95; Dragan \$176.40 (Kilmer), (Misc Matters) 58.80, (West Amwell LLC-Toll) \$2,249.10
- *Project Status Updates:* Mr. Fisher indicated that he will attend the next meeting concerning a reduction in the Open Space tax. Mr. Pfeiffer agreed that this topic has to be discussed because there are pipeline projects, some of which have grant funding, in order to give accurate information to landowners. Mr. Fisher commented that he contacted Mark Orlando concerning a tree inventory. He is willing to walk through the property and give an estimate of worth.
- *Closed Session Resolution:*

RESOLUTION #61-2010

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:
PURCHASE, LEASE OR ACQUISITION OF REAL PROPERTY
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 adopted on motion from Fisher, seconded by Molnar

Environmental

- *Authorization to Post January 14, 2010 Minutes on Website:* Approved
- *Report on Flood Mitigation Plan:* Cathy Urbanski and the Environmental Commission reviewed the report and found some errors. She spoke with the DRBC about this and discovered that one of the properties was actually in Lambertville City. The other reference was for property on Alexauken Creek Road but this was not a re-occurring situation. The previously adopted Resolution has been amended to reflect these corrections and was presented for consideration.

- *Revised Resolution:*

RESOLUTION #62-2010

AMENDING RESOLUTION #38-2010

WHEREAS, the Multi-Jurisdictional Flood Mitigation Plan for Municipalities in the Non-tidal, New Jersey portion of the Delaware River Basin has been prepared in accordance with FEMA requirements at 44 C.F.R. 201.6; and,

WHEREAS, West Amwell Township, has participated in the preparation of the multijurisdictional Plan; and,

WHEREAS, West Amwell Township, is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and,

WHEREAS, on page 190 of the Flood Mitigation Plan, it is stated that repetitive flood loss properties occur in West Amwell Township near Swan Creek; and

WHEREAS, West Amwell Township has stated that there were no repetitive flood loss properties within the Township; and,

WHEREAS, The Delaware River Basin Commission has acknowledged that the information in the Flood Mitigation Plan concerning the repetitive loss properties in West Amwell Township on page 190 is in error; and

WHEREAS, West Amwell Township affirms that the Plan will be updated no less than every five years.

NOW THEREFORE, BE IT RESOLVED by Township Committee that West Amwell Township, adopts the Multi-Jurisdictional Flood Mitigation Plan for Municipalities in the Non-tidal, New Jersey portion of the Delaware River Basin and resolves to execute the actions in the Plan.

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

Mrs. Urbanski inquired about the next meeting on the police study and was advised that it was scheduled for tomorrow night at 7 p.m. It will not displace the Environmental Commission's use of the meeting room as the police study group will use the small conference room.

Parks & Recreation

- *Insurance Company:* John Dupuis commented on the recent park inspection and insurance report on Hewitt Park and inquired whether this is something that has to be done. If so, perhaps the Township should look for another company as this one is out of Pennsylvania. He was advised the inspection is part of our insurance coverage.

- *Hunting Permits:* Mr. Dupuis relayed that NJ Wildlife may provide revenue to the Township in exchange for use of open space properties. They would mark the property and for use—per person or per hunting club. Mr. Fisher inquired whether hunting would be permitted on Toll. Mr. Pfeiffer responded in the affirmative but noted that it would have to have an agricultural purpose, e.g., protecting crops and trees, due to the agricultural development rights easement that is on the property.

- *Gulick Road Update:* An e-mail invitation to the February meeting held by the East Amwell recreation group was noted. Mr. Dupuis commented that there are some interesting notes on East's website and that they have requested a septic for bathrooms on this property. He expressed concern that East Amwell is doing what they need and not what West Amwell wants. There was a meeting last Tuesday that no one on the Parks & Recreation committee was able to attend due to lack of timely notice, where the open space was mapped out. Another meeting

is scheduled for 8:30 a.m. this Saturday at the sight. Mr. Molnar questioned what it is that West Amwell wants for this property. Hard ball and soft ball diamonds were suggested.

Mr. Dupuis also indicated that mulch is need for the park. He was directed to provide information on cost to the CFO as there is money in the Open Space trust fund for the maintenance of the park.

Community Forestry

- *Permission to Post Public Service Announcement on Website:* This information concerned tree clean-up after the storm. Approved

Aq Advisory Committee

- *Permission to Post December 7, 2009 Minutes on Website:* Approved

UNFINISHED BUSINESS

Continuation of 2010 Appointments – None

Resolution for Deferred Compensation Plan & Execution of Plan Agreement – The changes to the plan reflect current federal law and there is no cost to the Township as this is an employee funded deferred compensation plan.

RESOLUTION #63-2010

WHEREAS, the Township of West Amwell by resolution previously adopted a Deferred Compensation Plan (hereinafter referred to as the “Plan”) for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Economic Growth and Tax Relief Reconciliation Act of 2001, the 2005 final regulations issued under the Uniformed Services Employment and Reemployment Rights Act of 1994, the Pension Protection Act of 2006, final Treasury Regulation §1.457-4, the Heroes Earnings Assistance and Relief Tax Act of 2008 , and the Worker, Retiree and Employer Recovery Act of 2008 amended sections of the Internal Revenue Code (the “Code”) and the rules and/or regulations issued thereunder affecting Section 457 Deferred Compensation Plans (cumulatively referred to as the “Acts and Regulations”);

WHEREAS, the Employer desires its Plan to conform with the changes in the Code and Treasury regulations brought about by the Acts and Regulations;

WHEREAS, the Employer desires to adopt a restated Plan that conforms with the changes in the Code and Treasury regulations resulting from the Acts and Regulations;

WHEREAS, such revised Plan shall supersede the previously adopted Plan;

NOW, THEREFORE BE IT RESOLVED that the Employer hereby adopts a revised Plan 76-PD-Lincoln-120709.

BE IT FURTHER RESOLVED that The Lincoln National Life Insurance Company and Lincoln Financial Group, it’s agent, has agreed to continue to be the provider of the Deferred Compensation Program for employees and elected officials; and

BE IT FURTHER RESOLVED that the Lincoln National Life Insurance Company and Lincoln Financial Group it’s agent, will continue to provide, for the benefit of the participants the Multi-Fund Variable Annuity contract; and

BE IT FURTHER RESOLVED that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Lincoln National Life Insurance Company and Lincoln Financial Group, it’s agent, in the selection of a provider pursuant to N.J.A.C. 5:37 - 5.7.

BE IT FURTHER RESOLVED that the Finance Director or Business Administrator is authorized to execute an Administrative Services Agreement with the Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, (12-SA-Lincoln-072595) and such

other agreements as are necessary to implement the Deferred Compensation Program. It is implicitly understood that there is to be no cost or contribution by the Employer to the program; and

BE IT FURTHER RESOLVED that the Finance Director or Business Administrator is authorized to serve as the “Administrator” of the plan, represent the **Employer**, and execute individual deferred compensation agreements with each said employee; and

BE IT FURTHER RESOLVED by the Employer that the Clerk forward a certified true copy of this resolution to the Finance Director or Business Administrator; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services at P.O. Box 803; Trenton, NJ 08625-0803.

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

Township Owned Houses – Attorney Faherty relayed information on the foreclosure process for properties acquired at tax sale. Several properties were provided him by the tax collector and were compared with his list of foreclosed lots. There were no matches found so property titles would have to be researched back 60 years and the matter taken to court in order to vest title with the Township. Although this has been done successfully in the past, it is expensive to arrive at the point where a property can be sold and therefore not financially feasible at this point. However, the sale of the Perrine and Hancock Street properties can proceed. The Assessor will be contacted for a market value in order to set the price. Attorney Faherty will prepare a resolution for the next meeting so that a newspaper advertisement can be developed. As the Perrine purchase was bonded, the CFO contacted for how much is owed.

Report of Meeting @ East Amwell re: Resurfacing of Rt 31 – Mr. Masterson attended this meeting and was expected to provide a report this evening. However, information was received as follows: 1) this is a re-surfacing project funded by federal stimulus money; 2) the purpose is to improve safety for the traveling public; 3) will include curb to curb milling and resurfacing, upgrading/replacing the existing substandard and damaged guiderails and end treatments; and, 4) will see existing drainage inlets upgraded to meet current Stormwater Management requirements. Construction is anticipated to begin mid-summer and be completed by the end of the year. Shoulders will be temporarily striped for use as travel lanes and existing travel lanes will be maintained during peak hours. Operations that occupy a travel lane will be conducted during night time or off-peak hours.

A public information session will be held at East Amwell Township on May 13th at 7:30. A copy of this information will be provided to SHR and West Amwell Elementary.

Budget Update; Next Meeting; Proposed Introduction Date – Items discussed previously. Next budget meeting was set for April 13th at 4:15 p.m.

Resolution to Enter Closed Session – not needed

NEW BUSINESS

Alex Mikos of Goldenbaum Bail – Mr. Mikos and property owner Gail Burgess came forward concerning the conservation easement on Block 19 Lot 7.03. Specifically the request is for the total removal or modification of this easement. There is also an issue about DEP owning conservation easements, a position that is not shared by the Planning Board who has recommended that the easement be vacated. A plot plan of the property was presented showing the wetlands and a proposed location of a house. If no relief is given, there will be a battle with DEP due to the wetland permits. Mr. Mikos stated that wetlands change over time and that a conservation easement on top of a wetlands is unnecessary as the latter is protected by DEP. Attorney Faherty relayed that there are a few problems in that 1) the Planning Board resolution is still a draft and will not be formally approved until the next meeting, 2) a DEP letter was received whereby the Township is obligated to apply for permission to do the requested action; and 3) the Township cannot do anything without the permission of DEP. The Township doesn't have authority to vacate an easement due to the rights of the public that are involved. There is also the question of an application to Green Acres and who would be responsible.

Mr. Pfeiffer, the Planning Board Chair, relayed that Attorney Shurts has to make changes to the draft resolution. One recommendation is for the cost of the application to DEP be covered by the applicant and another is that the property not be subject to further subdivision.

Bill Corboy inquired about the conservation easements along the creek on his sub-divided property and commented that the implication is that now Green Acres has an easement on private property.

Mr. Mikos would like to be able to move forward with this project with a conditional approval from the Township Committee. Attorney Faherty suggested that the metes and bounds of the portion of the property needed for access be provided to him, as well as a copy of the presented map. He will look at the Green Acres regulations as there are penalties involved if something is illegally diverted that is under their control. If it is found that Green Acres regulations apply, a deed cannot be recorded. There is also the question of whether the property has to be recorded on the ROSI.

Conditional approval was given to proceed pending Planning Board approval of their resolution on the property.

Alexauken 319 Grant

- *Request for Contract Extension:* Harold Nebling advised the staff at PrincetonHydro to file another 6 month, no-cost time extension for the project, as the draft protection plan submitted on January 25, 2010 is 'stuck in management loop.' This mirrors previous delays in the project when documents have been held at length in a review cycle but their comments have to be addressed in order to complete the project. The letter requesting the extension was presented and signed by the mayor.

- *Professional Services Resolution:* Due to the delays at NJDEP, another professional services contract is needed to cover the extended time frame.

RESOLUTION #64-2010

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR ENVIRONMENTAL ENGINEERING SERVICES

WHEREAS, the Township of West Amwell has a need to continue the services of an environmental engineer to provide consulting services to complete a Watershed Protection Plan for the Alexauken Creek Watershed in line with a NJDEP Section 319H NPS Pollution Control and Management Implementation Grant, Year 5, as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5*; and,

WHEREAS, the Treasurer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year;

WHEREAS, Steven J. Souza of Princeton Hydro, LLC has submitted a proposal dated March 22, 2010 indicating they will provide continuation of this grant work in an amount not to exceed \$22,880; and

WHEREAS, Stephen J. Souza of Princeton Hydro, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Princeton Hydro, LLC has not made any reportable contributions to a political or candidate committee in the Township of West Amwell in the previous one year, and that the contract will prohibit Princeton Hydro, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, sufficient funds are available in the referenced grant

NOW THEREFORE, BE IT RESOLVED by the West Amwell Township Committee as follows:

1. The Mayor and Clerk are authorized and directed to execute a contract for continued professional services with Stephen J. Souza of Princeton Hydro, LLC
2. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contract Law because the services are performed by a person authorized by law to practice a recognized profession, and it is not possible to obtain competitive bids.

3. Payment will not exceed that of the contract amount.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value 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 Fisher, seconded by Molnar.

Resolution re: Legislation to Restructure Tax & Franchise Fees –

RESOLUTION #65-2010

Resolution Requesting the Legislature to Restructure and Bring Fairness to Tax and Franchise Fees Imposed on Telecommunications and Cable Telecommunications Service Providers in New Jersey.

WHEREAS, the convergence of telecommunications technologies and regulatory reform has blurred the distinctions among the service providers as each provides a full range of voice, data and video service; and

WHEREAS, the public rights-of-way are an asset held in trust for the people of the State of New Jersey by state and local government; and

WHEREAS, taxpayers are entitled to compensation when private corporations use the public rights-of-way to generate profits; and

WHEREAS, telecommunication providers including but not limited to, direct broadcast satellites, open video system and cable television, employing various technologies and offering multiple services, play an increasingly important role in the life of corporate and individual citizens in New Jersey; and

WHEREAS, tax and right-of-way franchise fee policies, however, should not bias competition among service providers nor distort the efficient use of public properties; and

WHEREAS, the current state system of compensation to municipalities for the use of the public rights-of-way distorts efficient use of these public assets; and

WHEREAS, comparable telecommunication competitors face major anomalies in financial obligations to municipalities and the state; and

WHEREAS, service revenue continues to shift from traditional telecommunication services, such as, local and long distance to advanced services such as wireless/mobile, cable, broadband, and high speed internet access. This shift will continue to intensify over the next decade, further distorting the financial obligations to the state among competing telecommunication service providers; and

WHEREAS, the current situation has proven inequitable, among telecommunication competitors or between taxpayer-owners of the rights-of-way and telecommunication companies.

NOW, THEREFORE, BE IT RESOLVED, the Township of West Amwell calls upon the State Legislature to restructure and bring fairness to tax and franchise fees imposed on telecommunication and cable telecommunication service providers in New Jersey; and

BE IT FURTHER RESOLVED, the Township of West Amwell calls upon the Legislature to ensure consumers of telecommunication services receive competitively priced, high quality services which are taxed equitably; and

BE IT FURTHER RESOLVED, the Township of West Amwell calls upon the legislature to ensure municipalities are held harmless from the shifts in consumption of telecommunication services from traditional services to more advanced services; and

BE IT FURTHER RESOLVED, the Township of West Amwell calls upon the legislature to ensure tax revenue associated with the provision of telecommunications services be paid directly from the service providers to the local governments; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to State Senator Doherty, our Assembly representatives DiMaio and Peterson, the Governor of the State of New Jersey and the New Jersey State League of Municipalities.

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

Receipt of Dumpster Quotes & Resolution –

RESOLUTION #66-2010

WHEREAS, West Amwell is in need of a 4 cu yard dumpster for the DPW; and

WHEREAS, a request for quotes was made on March 18, 2010; and

WHEREAS, solicited quotes were received from the following vendor:

Raritan Valley Disposal	\$28.86/week	\$1,500.72/year
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WHEREAS, the apparent lower bidder is Raritan Valley Disposal; and

WHEREAS, the required paperwork has been submitted; and

WHEREAS, the CFO has certified that funds are available in the 2010 temporary budget and will be made available in the 2010 Budget under Solid Waste OE.

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the quote for a 4 cu yard dumpster for the DPW be awarded to Raritan Valley Disposal.

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

Receipt of Diesel and Gasoline Quote & Possible Resolution – A request for bids was advertised in the March 4th edition of the Democrat and received on March 25th. The price is considerably higher than last year. A call was placed to South to ask about their bid solicitations and it was revealed that they use the ESC Cooperative for these commodities. The Co-op was contacted and their current bids are good through October 6 of this year and the current contract is held by Allied, the same company from whom we received the sole bid. Given the changing nature of the bid process, the Township would probably be better served by using the Co-op. Fisher motioned to reject all bids and Molnar seconded. The motion carried unanimously.

The resolution to enter into a cooperative pricing agreement with ESC was presented.

RESOLUTION #67-2010
COOPERATIVE PRICING RESOLUTION

A RESOLUTION AUTHORIZING THE MUNICIPALITY OF WEST AMWELL TOWNSHIP TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION HEREINAFTER REFERRED TO AS THE “LEAD AGENCY” FOR THE CONDUCT OF CERTAIN FUNCTIONS RELATING TO THE PURCHASE OF WORK, MATERIALS AND SUPPLIES FOR THEIR VARIOUS JURISDICTIONS.

BE IT ORDAINED BY THE MUNICIPALITY OF WEST AMWELL TOWNSHIP OF THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY:

This resolution shall be known and may be cited as the Cooperative Pricing Resolution of the municipality of West Amwell Township.

Pursuant to the provisions of N.J.S.A. 40A: 11-11(5), the Governing Body is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency or any other contracting unit within the County of Hunterdon or adjoining counties for the purchase of work, materials and supplies.

The Lead Agency entering into contracts on behalf of the municipality of West Amwell Township shall be responsible for complying with the Local Public Contracts Law (N.J.S.A/ 40: 11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

All resolutions or parts thereof inconsistent with this resolution shall be and the same is hereby repealed.

This resolution shall take effect immediately upon final passage and publication according to law.

MUNICIPALITY OF WEST AMWELL TOWNSHIP

Attest:
Township Clerk

By:
Mayor

Date: April 7, 2010

Hunterdon County Educational Services Commission

Attest:
Board Secretary

By:
Board President

Date:

The Resolution was unanimously approved on motion by Fisher, seconded by Molnar and the agreement was executed. Once the agreement is approved by the Educational Services Commission and the State, the Township can participate.

Application for Blue Light Permit – This is an initial application for Robert J. Musselman, a volunteer with the LNHA&RS, and signed by Chief Eckard. Unanimously approved on motion by Fisher, seconded by Molnar.

Request for Cancellation of Late Fees on 1st Quarter Taxes – Monica Paerg of 3 Big Top Drive protested the \$13.59 late charge on their February payment because there was no access to the building/mailbox due to snow. Unanimously approved on motion by Fisher, seconded by Molnar.

Resolution Proclaiming May as Older Americans Month –

RESOLUTION #68-2010

WHEREAS, the month of May is traditionally designated and observed throughout the nation as **Older Americans Month**; and

WHEREAS, the 2010 theme is, “**Older Americans: Age Strong! Live Long!**”, in honor of older Americans; and

WHEREAS, this Municipality recognizes the contributions older Americans have made to our families, our communities, and our nation; and

WHEREAS, older Americans remain active and productive, volunteering their time, talents and expertise, thereby enriching all our lives

NOW, THEREFORE, BE IT RESOLVED, that this Municipality does hereby proclaim the month of May as Older Americans Month and calls upon individuals and entities to honor and celebrate the outstanding contributions of this Municipality’s older residents.

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

OPEN TO THE PUBLIC

Ron Shapella came forward to urge the Committee to fight for the CMPTRA funds because it is a ratable for the Township. Extensive development to make up for the loss would only bring

other costs. Mr. Shapella stated that once the Township lets this revenue go, it will never get it back and there's no reason for the State to take it. He hopes the Committee will not give up easily in the fight as the Township faced greater odds in 2008 when it was acknowledged that the funds were not aid but a ratable.

Mr. Fisher commented that things are a bit different now because in 2008 all municipalities under 10,000 got the money restored as a group.

Mr. Shapella also repeated his concern about the tendency towards secrecy that's been going on with the financial advisory committee where no one is allowed to attend. His concern is that excuses are being used to keep meetings exempt from the Open Public Meetings Act and that the public should be able to attend.

Mr. Fisher responded that meetings are held and the information will be passed on to the Township Committee. Attorney Faherty noted for the record that the OPMA controls public bodies, not advisory committees which are exempt.

Dave Beaumont came forward with appreciation to the Township Committee for the challenge being faced with the budget and police situations. He inquired if anyone had questions from the budget hearing held at South. As for the cost, Mr. Beaumont stated that it is not going up, in fact, it is less than last year. However, as the budget was developed on the basis of 15% of State aid, not 5% of the budget, the hit was huge. The operating budget is down but taxes are up to cover the State aid loss.

Mr. Fisher extended appreciation to Mr. Beaumont for keeping the Committee informed. Mr. Molnar offered that South is justifying the high cost through speeches but nothing is being said about what they'll do to reduce this. The public was told that the theatre would be rented out, which is not happening, and that this would be a money maker. This also is not happening.

Mr. Beaumont offered that the problem is that people are needed to manage the theatre and a policy on use has to be developed. This is not a high priority at this point. The emphasis is on improving the level of education. As for a consolidation of high schools, e.g. North/Voorhees, South/Central, Mr. Beaumont stated that the hold up is who foots the feasibility study. State money for this is gone. In addition, this move would have to be agreed to by the County and all sending districts involved, plus Lambertville, West Amwell and Stockton. Other glitches are that Hunterdon Central is not 7-12; West Amwell would save money; Lambertville's burden would increase—even with a South County district; Lambertville's taxes would raise; and home rule issues with the allocation of school board members.

Sean Pfeiffer relayed that the recent heavy rain storm caused a tree to fall on a house of a long time resident. The house has been condemned and the resident doesn't have a lot of money. He inquired whether there could be expedited approvals if the decision is to re-build.

ADMINISTRATIVE REPORTS

Treasurer –

RESOLUTION #69-2010 EMERGENCY TEMPORARY RESOLUTION PRIOR TO ADOPTION OF THE BUDGET

WHEREAS, an emergency condition has arisen with respect to inadequate appropriation balances remaining in many of the 2010 temporary budget appropriations due to delays in the 2010 budget process: and

WHEREAS, inadequate provision has been made in the 2010 temporary budget for the aforesaid purposes, and N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations for the purposes above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2010 pursuant to the provisions of N.J.C.A. 40A:4-20 (Chapter 96, P.L. 1951 as amended) including this resolution total \$233,396.00.

NOW THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for each of the accounts listed on the attached.
2. That each said emergency temporary appropriation has been provided for in the 2010 budget under the same title as appropriated above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

Fisher motioned to adopt the Resolution and Molnar seconded. Roll Call: Fisher-aye, Molnar-aye

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

Treasurer Report, Statement of Cash, Revenue, and Investment Report: As of this date there is a cash total of \$3,665,154.35 between the operating and capital accounts.

Tax Collector – The monthly report for March 2010 showed receipts in the amount of \$114,781.74.

Construction – The February and March 2010 reports were received showing Permit Fee Log Details (11/13), Monthly Activity Report-Permits (6/13), Monthly Activity Report-Certificates (7/9), Certificate Log Detail (7/10), and Payment Summary Report (\$1,285.00/\$2,993.00) for PermitsNJ.

Court – The 1st Quarter 2010 report showed 314 State Police tickets and 213 local police tickets for the period. Township monies received were \$5,426.84.

Zoning Officer Report -- The March 2010 report of activities was received. Seven permits were issued and numerous phone calls, office meetings and interpretations were reported. The need for an ordinance for After Disaster trailers and deed restriction verbiage for both mother-daughter dwellings and ECHO units was noted.

The Construction, Court, and Zoning reports were accepted unanimously.

The Township Committee entered their previously approved Closed Session at 11:03 p.m., returning to Open Session at 11:29 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 11:30 p.m. on motion from Molnar, seconded by Fisher.

Respectfully submitted,

Lora Olsen, RMC
Township Clerk