

# **WEST AMWELL TOWNSHIP COMMITTEE MEETING**

**April 19, 2017 - 7:30 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 7:35 p.m. Present were Mayor John Dale, Committeemen James Cally, Gary Hoyer, Clerk Lora Olsen and Attorney Philip J. Faherty III. Deputy Mayor Stephen Bergenfeld and Committeeman Zachary T. Rich were absent/excused. Also in attendance were Tom Carro, John Cronic, Ryan Rollero, Cathy Urbanski, Dave Beaumont and Hal Shute.

Mayor Dale 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, 2017, 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.

## **FLAG SALUTE**

The mayor led those in attendance in the pledge to the nation's flag.

## **AGENDA REVIEW BY TOWNSHIP CLERK**

The following items were added: 8.B.2a Self Exam Resolution; 11.D. Summer Help

## **ANNOUNCEMENTS**

- Well Water Testing for Township Residents, Collection Kits Available for Purchase on May 20<sup>th</sup> 8 a.m. to 12:30 p.m. at Municipal Building, see Website for Further Details
- Last Day to Register for June Primary Election is May 16<sup>th</sup>
- County Ident-a-Shred Days @ Court House, 9 a.m. to Noon on May 6, Sept 9, Oct 7, Nov 4 (County residents only; No Businesses; 10 Box Limit)
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

## **PRESENTATION OF MINUTES**

The April 5, 2017 Regular meeting minutes were unanimously approved on motion from Cally, seconded by Hoyer.

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

No one came forward. Closed.

## **SPECIAL PRESENTATION(S)**

**Reports by Department Heads** – No reports

## **INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING**

**Public Hearing:** 2017 West Amwell Open Space Trust Fund

Copies were available for the public. The mayor opened the public hearing.

## **2017 WEST AMWELL TOWNSHIP OPEN SPACE TRUST FUND**

Purpose: as designated by NJSA 40:12-15.7, the tax may be used for the acquisition of lands for recreation and conservation purposes, development of lands acquired for recreation and conservation purposes, maintenance of lands acquired for recreation and conservation purposes, acquisition of farmland for farmland preservation purposes, historic preservation of historic properties, structures, facilities, sites, areas or objects for historic preservation purposes, payment of debt service on indebtedness issued or incurred by a municipality for any of the purposes above. During the budget process each year, a public hearing is held on the allocation of funds raised by the open space tax.

The 2017 Open Space Trust Fund will be used for the following:

Administrative Expense:	
Salaries and Wages	\$ 1,000.00
Maintenance of Lands for Recreation And Conservation:	
Salaries and Wages	25,000.00
Other Expenses	25,000.00
Debt Service:	
Payment of Bond Principal	399,702.00
Green Trust Loans	<u>31,092.00</u>
<b><u>Total</u></b>	<b><u>\$ 481,794.00</u></b>

#### OPEN TO THE PUBLIC FOR COMMENTS

CFO Tom Carro commented that the use of open space funds was less than appropriated in 2016 by approximately \$100,000 and reliance on these funds going forward will be less.

Hal Shute noted that the actual reduction was \$70,000 over 2016.

There were no other comments and the public hearing was closed.

*Hoyer moved for adoption and Cally seconded the motion. Item approved unanimously.*

#### **Public Hearing:** 2017 West Amwell Township Budget

Proof of publication in the March 23, 2017 issue of the Hunterdon County Democrat was presented. The Budget has been posted and available to the public since its introduction at the March 15, 2017 Township Committee meeting.

#### *- Resolution to Read by Title:*

##### RESOLUTION #62-2017

WHEREAS, the 2017 Budget of the Township of West Amwell was introduced on March 15, 2017 and advertised on March 23, 2017; and

WHEREAS, N.J.S.A. 40A:4-8 states that the budget, as advertised may be read by title only if at least one week prior to the public hearing the approved Budget as advertised shall be posted where public notices are customarily posted and copies made available to each person requesting same; and

WHEREAS, the above requirements have been complied with;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell, assembled in public session this 19<sup>th</sup> day of April 2017, that the 2017 budget be read by title only as provided by N.J.S.A. 40A:4-8.

*The Resolution was unanimously approved on motion by Cally, seconded by Hoyer.*

*- Resolution for Self-Examination:* CFO Carro explained that every third year a municipality can provide for a self-examination of the budget, as long as certain criteria are met. Additionally, there are not enough examiners at the State level to perform these reviews.

##### RESOLUTION #63-2017 TOWNSHIP OF WEST AMWELL COUNTY OF HUNTERDON SELF-EXAMINATION OF 2017 BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of West Amwell has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2017 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of West Amwell that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

*The Resolution was unanimously approved on motion by Hoyer, seconded by Cally.*

- *Public Hearing:* Mayor Dale opened the public hearing.

CFO Carro commented that the budget reflects a one cent increase on the municipal rate--\$.27 to \$.28—or \$40.00 a year, exclusive of County or school. He also expressed appreciation to the Finance committee for their review, noting that the budget process used this year went better.

Hearing no further comments, the public hearing was closed.

- *Budget Resolution:* The following resolution was presented for action.

#### RESOLUTION #64-2017

Be it resolved by the Township Committee of the Township of West Amwell, County of Hunterdon, that the 2017 budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the account of:

(a) \$ 1,417,924.00 for municipal purposes; and

(d) \$ 303,841.00 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

SUMMARY OF REVENUES

1) General Revenues Surplus Anticipated	\$ 263,000.00
Miscellaneous Revenues Anticipated	1 ,940,830.00
Receipts from Delinquent Taxes	185,000.00
2) AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES	<u>1,417,924.00</u>
Total Revenues	<u>\$ 3,806,754.00</u>

SUMMARY OF APPROPRIATIONS

5) GENERAL APPROPRIATION	
Within CAPS	
(A & B) Operations including Contingent	\$ 2,525,192.00
Deferred Charges and Statutory Expenditures	293,922.00
Excluded from CAPS	
(A) Operations – Total operations excluded from CAPS	28,412.00
(C) Capital Improvements	26,000.00
(D) Debt Service	653,228.00
(E) Deferred Charges	60,000.00
(M) Reserve for Uncollected Taxes	<u>220,000.00</u>
Total Appropriations	<u>\$ 3,806,754.00</u>

*The Resolution was approved on motion by Cally, seconded by Hoyer. Roll Call: Hoyer-aye; Cally-aye; Dale-aye*

**Introduction:** Ordinance 04, 2017

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

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

SECTION 1

The following shall be the rate and ranges of compensation for the following officials and employees of the township for the year 2017.

Mayor .....	\$3459.00
Township Committee .....	\$2901.00
Township Clerk .....	\$54,181.00 - \$80,000.00
Plus \$35.00/hr. for special & emergency meetings	
Registrar of Vital Statistics .....	\$2,340.00 - \$3,500.00
Deputy Township Clerk .....	\$22,464.00 - \$33,000.00
Deputy Registrar of Vital Statistics.....	\$900.00 - \$1,500.00
Escrow Clerk .....	\$2,000.00 - \$4,000.00
Assessor .....	\$26,891.00 - \$40,000.00
Chief Financial Officer/Treasurer.....	\$27,000.00 - \$40,000.00
Certifying Officer for Pensions .....	\$1,080.00 - \$2,100.00
Assistant Treasurer .....	\$8,424.00 - \$14,000.00
Payroll Clerk .....	\$2,314.00 - \$3,500.00
Planning Board Secretary .....	\$11,700.00 - \$17,500.00
Plus \$200.00 per additional meeting over 12/year	
Deputy Planning Board Secretary .....	\$200.00/meeting
Board of Adjustment Secretary .....	\$5,490.00 - \$8,500.00
Plus \$200.00 each for special meetings	
Deputy Board of Adjustment Secretary .....	\$200.00/meeting
Board of Health Secretary .....	\$2,915.00 - \$4,500.00
Plus \$35.00/hr. for special & emergency meetings	
Dog Registrar .....	\$1,800.00 - \$3,000.00

Dog Census Takers .....	\$500.00 per district plus \$325.00 mileage per district
Judge .....	\$11,250.00 - \$17,000.00
Court Administrator .....	\$34,524.00 - \$55,000.00
Construction Code Official (West & East).....	\$9,000.00 - \$30,000.00
Plumbing & Mechanical Sub-Code Official & Inspector (West & East).....	\$7,000.00 - \$25,000.00
Electric Sub-Code Official & Inspector (West & East) .....	\$8,000.00 - \$25,000.00
Building Sub-Code Official & Inspector (West & East) .....	\$9,000.00 - \$30,000.00
Fire Sub-Code Official & Inspector (West & East) .....	\$5,000.00 - \$15,000.00
Fire Official .....	\$5,429.00 - \$8,000.00
Zoning Officer .....	\$4,000.00 - \$8,000.00
Municipal Housing Liaison/AA .....	\$4,500.00 - \$7,500.00
Assistant Collector of Taxes .....	\$15.00 - \$25.00/hr
General Office Secretary/Clerk .....	\$12.17 - \$18.00/hr
Rabies Clinic – Secretarial .....	\$25.00/hr per person
Open Space Secretary .....	\$13.50 - \$20.00/hr
Building Custodian (Police) .....	\$10.30 – 19.00/hr
Waste Security Officer .....	\$12.84 - \$19.00/hr
Assistant Waste Security Officer.....	\$10.42 - \$15.00/hr
Waste Security Laborer .....	\$10.30 - \$15.00/hr
Substitute Waste Security Laborers .....	\$10.30 - \$15.00/hr
Violations Clerk .....	\$16.00 - \$24.00/hr
Court Security Officer.....	\$100.00 per court session
Substitute MCO .....	\$30.00 - \$45.00/hr
Substitute Sub-Code Officials & Inspectors ... ..	\$28.97 - \$40.00/hr
Construction/Zoning Office Assistant .....	\$13.50 - \$25.00/hr
Construction/Zoning Office Manager.....	\$15.00 - \$35.00/hr
DPW Coordinator .....	\$25.00 - \$35.00/hr
Road Supervisor .....	\$24.00 - \$45.00/hr
Road Foreman .....	\$20.44 - \$30.00/hr
Road Class A (10 or more years of service) .....	\$18.69 - \$27.00/hr
Road Class B (5-10 years of service) .....	\$15.47 - \$23.00/hr
Road Class C (Less than 5 years of service) .....	\$14.51 - \$21.00/hr
Road Laborer .....	\$10.00 - \$18.00/hr
Temporary Laborer .....	\$12.05 - \$18.00./hr
Summer DPW Workers .....	\$9.00 - \$13.00/hr
Police Administrative Secretary .....	\$13.50 - \$25.00/hr
Substitute Police Secretary .....	\$13.50 - \$20.00/hr
Part-time Officers .....	\$20.62 - \$30.00/hr
Part-time Officers Spec Duty .....	\$22.41 - \$33.00/hr
Police Matrons .....	\$13.50 - \$25.00/hr
with a minimum of 4 hours pay if called out between 9 p.m. and 6 a.m.	

## SECTION II

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

## SECTION III

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

#### SECTION IV

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

*Cally moved to introduce the Ordinance on first reading and Hoyer seconded. Motion carried unanimously.* The public hearing will be held May 17, 2017. Confirmation of a minor title amendment was noted and approved.

**Introduction:** Ordinance 05, 2017

CFO Carro advised that there are only two items included—a mower and fire company gear—for a total of \$74,000. This is from capital which is outside the regular current fund budget.

Mayor Dale advised that there had been a request to hold off on this for a couple of weeks but noted that comments could be made at the public hearing. CFO Carro noted that once approved, acquisition would be a least 4 weeks and that less mowers might be available with further delay.

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

A CAPITAL ORDINANCE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, AUTHORIZING VARIOUS PURCHASES LISTED BELOW AND APPROPRIATING \$74,000.00 FROM THE OPEN SPACE/CAPITAL IMPROVEMENT FUND.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON AS FOLLOWS:

SECTION 1: There is hereby approved as capital projects within the Township of West Amwell not to exceed the costs as noted below:

<u>Project/Purpose</u>		<u>Cost</u>
Fire	Protective Gear	\$ 12,000.00
DPW	Groundsmanager Mower	<u>62,000.00</u>
<b><u>TOTAL</u></b>		<b><u>\$74,000.00</u></b>

SECTION 2: There is hereby appropriated from the Township of West Amwell Capital Improvement Fund the sum of \$42,000.00 and \$ 32,000.00 from the Open Space Trust Fund to cover the cost of the capital projects as described in Section 1 hereof.

SECTION 3: This ordinance shall take effect upon final adoption and publication according to law.

SECTION 4: The capital budget of the Township of West Amwell is hereby amended to conform with the provisions of this ordinance to the extent of an inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the Clerk and is available there for public inspection.

*Cally moved to introduce the Ordinance on first reading and Hoyer seconded. Motion carried unanimously.* The public hearing will be held on May 17, 2017.

#### **STANDING COMMITTEE REPORTS**

**Open Space**

- *Authorization to Post January 10, 2017 Minutes to Website:* Approved with a typo correction.

- *Preserved Property Deed Listing/How to Formalize for In-house Use:* Hal Shute commented on the issue with preserved properties that have changed hands. He noted that new deeds do not reference conservation deeds, something that is now handled in this manner, but he still has concerns about this falling through the cracks, especially if there is no title search prior to purchase. A listing has been developed of restricted properties, a copy of which is requested to be shared with Construction and the land use boards for their reference when reviewing plans. The requested distribution was approved.

- *Maintenance Plan for OS Trust Fund*: Cathy Urbanski relayed that trust fund money has been used for years for maintenance items but in speaking with Bill Millett at the County, it was revealed that in order to do so, a maintenance plan is needed. Therefore, an addendum to make this legal has been prepared. The plan covers all current uses, including mowing at Hewitt Park, vehicle use and payroll, but at Township Committee discretion. *The Plan addendum was unanimously approved on motion by Cally, seconded by Hoyer.*

- *Project Status Updates*: Attorney Faherty advised that the **Holcombe** closing is scheduled for May 2<sup>nd</sup> in his office. John Cronce spoke on the proposal for a **gun range** and presented a letter concerning the Open Space committee's findings as to the municipal property as well as other Township owned ones. None were found to be suitable due to various factors, including access, safety and liability issues. As noted previously, the purpose of a municipal range was to reduce overtime expense for police officer qualification.

### Environmental

- *Authorization to Post March 9, 2017 Minutes to Website*: Approved  
- *Hewitt Park Walk to Mark Ash Trees – June 10<sup>th</sup>*. The walk is scheduled for noon. Mrs. Urbanski requested that this information be relayed to members of Parks & Recreation.  
- *Discussion of Failed Rain Garden on Municipal Property & Proposed Solutions from Princeton Hydro*: Mrs. Urbanski relayed that the basin is to be re-done as it was supposed to drain within 72 hours to minimize erosion. The bottom is 8 inches lower than it should be, with the inlet lower than the outlet. The area will also need to be re-planted. The corrective work should be completed by the end of May.

### Finance

- *Authorization to Post March 9, 2017 Minutes to Website*: Approved.

### Aq Advisory

- *Authorization to Post January 5, 2017 Minutes to Website*: Approved.

### **UNFINISHED BUSINESS**

**Possible Appointments** – none.

**Updates** – 1) The **construction clearance** item was held. 2) Attorney Faherty advised that Mr. Hellewa will sign the lease agreement for the **Block 23 Lot 12 well** and send in the check. *Cally motioned to authorize the mayor and clerk to sign the agreement and Hoyer seconded. Motion carried unanimously.* 3) Road Supervisor Rollero overviewed the situation with the fire house **generator**. Elizabethtown Gas has to unlock the supply and the psi needs to be adjusted for the start-up operation. The township engineer is aware of the status and is to coordinate the parties involved. A checklist is to be supplied and a plumber sign-off, so that the vendor can schedule the start-up. Township Engineer Burr is to be requested to keep the township in the loop by cc'ing on e-mails. 4) Attorney Faherty advised that two calls have been placed to Mr. Warford concerning **Block 46 Lots, 5, 6, 7** with no response to date. 5) Attorney Faherty advised that the **animal control facility issue** is a work in progress and will reach out to the City. 6) Mayor Dale relayed **cost savings measures** under investigation including a meeting with the insurance broker; the police have agreed to reduce their budget by \$30,000; and, vehicle maintenance is being done in-house. Mr. Rollero advised of the DPW cost for recent work on two police vehicles and is keeping service records on all of them. He also relayed that 4 vehicles are approaching 100,000 miles with 2 others having over 100,000 miles.

**Payroll Recommendation from CFO** – CFO Carro overviewed the issues encountered with the current payroll company. Quotes have been obtained from PrimePoint and R&L. The following was presented for consideration.

RESOLUTION #65-2017  
**TOWNSHIP OF WEST AMWELL**  
**RESOLUTION TO RESCIND CURRENT PAYROLL PROCESSOR AND**  
**HIRE PRIMEPOINT PAYROLL**  
**APRIL 19, 2017**

WHEREAS, USA Payroll of Cherry Hill, NJ was appointed payroll processor for the Township of West Amwell in March, 2016 and has provided said services for one year,

WHEREAS, it is the desire and recommendation of the Chief Financial Officer to appoint Primepoint Payroll of Mt Holly, NJ being the low bidder for services and known reputation for quality throughout the State of NJ,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of West Amwell, that Primepoint Payroll of Mt Holly, NJ be appointed payroll processor for the Township and file all mandatory federal and state reports as required by law, effective immediately.

*The Resolution was unanimously approved on motion from Cally, seconded by Hoyer.*

A letter will be sent to the USA Payroll as to this change. Although shooting for the May 11<sup>th</sup> payroll date, the contract will be checked as to any required time frame for notification.

**Possible Resolution Concerning Verizon Wireless ROW** – Attorney Faherty presented a revised resolution for consideration. This will enable the process to move forward but requires that they come back once there's a plan.

RESOLUTION #66-2017  
**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF WEST AMWELL**

**WHEREAS**, Cellco Partnership d/b/a Verizon Wireless, ("Verizon Wireless"), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

**WHEREAS**, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public rights-of-way pursuant to which Verizon Wireless may use such poles erected within the public rights-of-way in the Township of West Amwell; and

**WHEREAS**, West Amwell Township will agree to consent to allow Verizon Wireless to submit applications for development to its land use boards for approval to install Verizon Wireless equipment and facilities on such poles in such public rights-of-way under the conditions set forth below; and

**WHEREAS**, New Jersey law permits such use provided that there is the consent of the relevant municipality;

**NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY THAT:**

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to submit applications for development to West Amwell Township's land use boards for approval to install Verizon Wireless equipment and facilities on such poles in such public rights-of-way and, if and only if such land use approvals are obtained, jointly use poles erected by parties that have the lawful right to maintain poles within the public rights-of-way in West Amwell Township, all subject to the following:
  - A. A representative of Verizon Wireless agrees to appear before the Township Committee of West Amwell Township once their survey has been completed, to discuss the locations where the equipment and facilities will be installed.
  - B. Verizon Wireless and its successors and assigns, shall adhere to all applicable Federal, State and Local laws regarding safety requirements related to the use of the public rights-of-way.
  - C. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Township of West Amwell.
  - D. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Township of West Amwell, its officers, agents and servants from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles



located within the public rights-of way, except to the extent resulting from the acts or omissions of the Township of West Amwell.

- E. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000.00 for injury to or death of one or more persons in any one occurrence and \$500,000.00 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Township of West Amwell as an additional insured.
- F. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
- G. Notwithstanding any provision contained herein, neither the Township of West Amwell nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
- H. This instrument shall be adopted on behalf of the Township of West Amwell by the Township Committee of the Township of West Amwell and attested to by the Township of West Amwell Clerk who shall affix the Township of West Amwell Seal thereto.
- I. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

#### STATEMENT

This resolution authorizes Verizon Wireless to submit applications for development to the Township of West Amwell land use boards for approval to install Verizon Wireless equipment and facilities on poles erected within the public rights-of-way of the Township of West Amwell by parties that have the lawful right to maintain such poles.

*The Resolution was unanimously approved on motion from Cally, seconded by Hoyer.*

#### NEW BUSINESS

**Recycling** – The annual report is due for submission by April 30<sup>th</sup>. A preliminary spreadsheet was provided by Deputy Clerk Haberle showing total tons to date of 2,889.73. This is 4,546.73 tons less than last year. Mr. Cally requested a list of businesses and spoke about recycling efforts at a particular establishment.

- *Tonnage Grant Resolution:*

#### RESOLUTION #67-2017

#### **TONNAGE GRANT APPLICATION RESOLUTION**

- WHEREAS,** The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and
- WHEREAS,** It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and
- WHEREAS,** The New Jersey Department of Environmental Protection has promulgated Recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and
- WHEREAS,** The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and
- WHEREAS,** A resolution authorizing this municipality to apply for the **2016 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the West Amwell Township Committee to the efforts

undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS,** Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of West Amwell Township that West Amwell Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Alan Dilley to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

*The Resolution was unanimously approved on motion from Cally, seconded by Hoyer.*

- Tonnage Tax Resolution:

**RESOLUTION #68-2017**  
**TAX IDENTIFICATION STATEMENT**

**WHEREAS,** The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS,** There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

**WHEREAS,** Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

**NOW THEREFORE BE IT RESOLVED** by the TOWNSHIP OF WEST AMWELL that TOWNSHIP OF WEST AMWELL hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2016 in the amount of \$1,338.39. Documentation supporting this submission is available at OFFICE OF THE CLERK, WEST AMWELL TOWNSHIP MUNICIPAL OFFICES, 150 ROCKTOWN-LAMBERTVILLE ROAD, LAMBERTVILLE, NEW JERSEY 08530 and shall be maintained for no less than five years from this date.

*The Resolution was unanimously approved on motion from Cally, seconded by Hoyer.*

**Professional Services Resolution for State Tax Appeal Attorney –**

**TOWNSHIP OF WEST AMWELL**  
**HUNTERDON COUNTY, NEW JERSEY**

**RESOLUTION #69-2017**  
**RESOLUTION APPOINTING SPECIAL TAX ATTORNEY**

**WHEREAS,** there exists a need for the performance of legal services for the Township of West Amwell for the year 2017 in connection with tax appeals pending in the New Jersey Tax Court which cannot be handled by the Municipal Attorney; and

**WHEREAS,** funds are, or will be made, available for this purpose to be certified by the Treasurer; and

**WHEREAS,** the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) authorizes the hiring of an attorney without competitive bidding providing that the Resolution authorizing the award of contracts for "Professional Services" without competitive bidding and the contract itself be made available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of West Amwell, Hunterdon County, New Jersey, as follows:

1. Harry Haushalter, Esq., Attorney at Law, is hereby appointed to serve as Special Tax Attorney for the Township of West Amwell during the year 2017 for tax appeals pending in the New Jersey Tax Court.
2. The Mayor and Committee shall enter into a mutually agreeable written compensation agreement with said Attorney within thirty (30) days of the date of this Resolution.
3. This Agreement is awarded without competitive bidding as a "Professional Service" under the provision of the Local Public Contracts Law, N.J.S.A. 40A:11-5.

*The Resolution was unanimously approved on motion from Hoyer, seconded by Cally.*

A \$5000 initial limit was placed on this work. The attorney will be so notified of his appointment.

**S & W Amendment** – Issues concerning salary for the temporary replacement of the zoning board secretary have developed. The solution, which has been discussed with and approved by Zoning Board Chair Fulper, is to suspend Mrs. Hall's salary and provide that money to Mrs. Rosikiewicz.

RESOLUTION #70-2017  
Amending Resolution #95-2016

BE IT RESOLVED by the Committee of the Township of West Amwell that the 2016 Salary and Wage Resolution, adopted July 20, 2016 be amended as follows:

Position	Salary/Compensation
<u>Delete</u> Board of Adjustment Secretary Hall	\$6,690.00
<u>Add:</u> Board of Adjustment Secretary Rosikiewicz	\$6,690.00 (pro-rated)

*The Resolution was unanimously approved on motion from Cally, seconded by Hoyer.*

**Summer Help** – Mr. Rollero has advised that two seasonal laborers would be beneficial. He will reach out to last year's part-time employee to ascertain interest. Depending on the response, an advertisement will be placed in the newspaper and on the website for either one or two positions.

**OPEN TO THE PUBLIC**

Dave Beaumont came forward to re-iterate his appreciation for the STOP sign on Rock Road West/Corsalo as it has made a difference. He also relayed that the budget hearing for the school is scheduled for Monday and if the Committee had questions, that they e-mail them to him. Mr. Beaumont mentioned a recent e-mail from Assessor Gill concerning a computer for the website. A brief discussion followed but no action taken pending receipt of additional information.

**ADMINISTRATIVE REPORTS**

**Treasurer –**

**Presentation of Bills for Approval:** A couple bills on the list were questioned and clarification provided.

RESOLUTION #71-2017

BE IT RESOLVED by the Township Committee of the Township of West Amwell that the vouchers listed on the Bill List, in the amount of \$331,183.40, dated April 19, 2017, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations.

*Cally motioned to approve the evening's bills for payment. Motion seconded by Hoyer and carried unanimously.*

**Tax Collector** – The annual *Report of Uncollectible Taxes* for the previous year was received. The sole item on the list was Block 28 Lot 35 which is a Township property. Assessor Gill will be requested to change this property to exempt status.

**Construction** – The Permit Fee Log Summary for March 2017 reflect the issuance of 18 permits/updates for a total of \$3,783.00 for West Amwell. Three (3) CO's and sixteen (16) CA's were processed per the Certificate Log Summary. The Permit Fee Log Summary for East Amwell reported 26 permits issued and \$12,352.00 collected. One (1) CO and twenty four (24) CA's were processed according to the Certificate Log Summary.

**Website Review** – none

The reports were accepted, without further comment, as filed.

#### **CORRESPONDENCE**

The correspondence as listed on the Agenda was ordered filed.

#### **ADJOURNMENT**

There being no further business, the meeting was unanimously adjourned at 9:40 p.m. on motion from Cally.

Respectfully submitted,

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Lora Olsen, RMC  
Township Clerk

APPROVED: May 3, 2017