

WEST AMWELL TOWNSHIP COMMITTEE MEETING

April 17, 2019 - 7:30 PM

CALL TO ORDER AND STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

The regularly scheduled meeting of the West Amwell Township Committee was called to order at 7:30 PM. Present were Mayor Zachary T. Rich, Committeemen Stephen Bergenfeld, James Cally and John Dale along with Township Clerk Maria Andrews and Attorneys Philip J. Faherty, III and Katrina Campbell. Also present was CFO Tom Carro.

Mayor Rich announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was faxed to the Hunterdon County Democrat and Trenton Times on January 10, 2019, was posted on the bulletin board in the Municipal Building on said date and has remained continuously posted as required under the Statute. A copy of this notice is and has been available to the public and is on file in the office of the Township Clerk.

FLAG SALUTE

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

AGENDA REVIEW BY TOWNSHIP CLERK

Township Clerk Andrews noted there were no changes to the posted agenda.

ANNOUNCEMENTS

- The Municipal Offices will be Closed on 4/19/19 – Good Friday
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During the Meeting

PRESENTATION OF MINUTES

A motion by Cally, seconded by Bergenfeld to approve the Township Committee's 4/3/19 Regular Session minutes with no revisions noted was unanimously approved by voice vote.

OPEN TO THE PUBLIC/TOPICS NOT ON THE AGENDA

Mayor Rich opened the floor to public comment. Seeing no members of the public come forward, a motion was made by Cally and seconded by Bergenfeld to close to the public. The motion was unanimously approved by voice vote.

SPECIAL PRESENTATION(S)

Proclamation for the American Cancer Society

A motion was made by Cally and seconded by Dale acknowledging the Proclamation for the American Cancer Society and noting 5/3/19 as "Wish Upon A Cure Day" and 5/3/19 – 5/4/19 as "Relay for Life in Hunterdon County Days." The motion was unanimously approved by voice vote.

Reports by Department Heads

Hal Shute of the Open Space Committee came forward and provided an update on the previously noted (3/20/19 and 4/3/19 Township Committee meetings) rejection of the Township's application for reimbursement for a preservation project. He stated the County is maintaining their position on the referendum 10 years ago which contains wording specifically limiting how the funding can be applied. Mr. Shute noted that the Township's funding doesn't go away, but at this point, we will need to preserve a new project in order to access it.

Mr. Shute noted an upcoming joint meeting of the Township's Ag and Environmental Committees along with the CADB and SADC.

Mayor Rich commented he had recently received a call from a resident who works for Bank of America and noted there are \$50,000 grants available for Township projects having to do with "environmental" and "arts and cultural" projects. Mayor Rich noted the deadline to apply is 4/30/19. Committeeman Bergenfeld suggested Ash Tree clearing. Dave Beaumont of 205 Rock Road West spoke up from the public suggesting cleanup efforts in Hewitt Park. He indicated he will reach out to Cathy Urbanski, Chair of the Environmental Committee and email information to Mayor Rich by Friday 4/19/19.

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

Public Hearing: 2019 Municipal Budget

Present for the discussion was CFO Tom Carro. He noted the budget is up 3% but clarified on a \$3,000,000.00 budget this is considered to be relatively flat. He stated the Township is under both the levy and spending CAP's and confirmed the State has indicated the budget can be adopted.

Clerk Andrews provided proof of publication for the budget introduction noting the 3/21/19 issue of the Hunterdon County Democrat.

Mayor Rich opened the floor to public comment. Mr. Shute commented on behalf of the Finance Committee stating they had reviewed the budget and clarified that the Class III Police Officers will be noted in the budget next year, but may not be depicted on both sides of the budget as that may create CAP issues.

Mayor Rich commented on a potential solar project to be located on the other side of the Township's field property. He remarked this would be a land lease agreement and would be beneficial if it could be done this year. He noted representatives from the solar company are planning to attend the Township Committee's 5/1/19 meeting to discuss this opportunity.

Mr. Beaumont commented that he believes the Committee and CFO did a great job on the budget but suggested the language on page 7 referring to the average cost per home be corrected to \$384,000 from \$400,000 so it is accurate for costs in West Amwell. CFO Carro commented that the \$400,000 reference is simply a "general" comment noted on the budget sheet.

Seeing no other members of the public come forward, a motion was made by Cally and seconded by Bergenfeld to close to the public. The motion was unanimously approved by voice vote.

A motion by Cally, seconded by Dale to approve the 2019 West Amwell Township Municipal Budget was unanimously approved by roll call vote.

Bergenfeld: Yes, Cally: Yes, Dale: Yes, Rich: Yes

Public Hearing: Ordinance 5, 2019 – AN ORDINANCE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY APPOINTING THE TOWNSHIP CLERK AS THE ISSUING AUTHORITY FOR RAFFLE AND GAMING LICENSES

Mayor Rich read Ordinance 5, 2019 by title.

Ordinance 5, 2019

AN ORDINANCE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, APPOINTING THE TOWNSHIP CLERK AS THE ISSUING AUTHORITY FOR RAFFLE AND GAMING LICENSES

WHEREAS, the Mayor and Township Committee have been advised that the Office of the Attorney General, Division of Consumer Affairs, has set forth in the New Jersey Register that a Municipality may, by ordinance, delegate the authority to approve raffle and bingo licenses to an authorized Municipal Clerk; and

WHEREAS, such an authorization would allow the Clerk to review the licenses on a more expeditious basis; and

WHEREAS, the Mayor and Township Committee believe it is in the best interest of the Township and the citizens seeking a raffle and gaming license to process it in this more efficient manner; and

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Township Committee of the Township of West Amwell as follows:

Section I: Additional Duties

The Township Clerk is authorized to approve the granting of raffle and bingo licenses as is provided by Law; for purposes of this ordinance, the Municipal Clerk is now the issuing authority for raffle and bingo licenses in the Township of West Amwell, County of Hunterdon, State of New Jersey.

This Ordinance shall take effect immediately after publication as provided by law.

By Order of the Township Committee

Zachary. T. Rich, Mayor

Clerk Andrews provided proof of publication noting the 3/28/19 edition of the Hunterdon County Democrat.

A motion by Cally, seconded by Bergenfeld to open to the public was unanimously approved by voice vote. Seeing no members of the public come forward, a motion by Cally, seconded by Bergenfeld to close to the public was unanimously approved by voice vote.

A motion by Bergenfeld, seconded by Dale to adopt Ordinance 5, 2019 was unanimously approved by roll call vote.

Bergenfeld: Yes, Cally: Yes, Dale: Yes, Rich: Yes

Introduction: Ordinance 8, 2019 – AN ORDINANCE AMENDING CHAPTER 99, SECTION 99-24 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY – (Cleanup Day Fees)

Mayor Rich read Ordinance 8, 2019 by title.

Ordinance 08, 2019

AN ORDINANCE AMENDING CHAPTER 99, ARTICLE III, SECTION 99-24 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY
(Cleanup Days – Fees)

WHEREAS, West Amwell Township requires residents to purchase a permit for cleanup days; and

WHEREAS, it has been determined that the current fee needs to be changed to offer Township residents additional options; and

THEREFORE, BE IT RESOLVED by the West Amwell Township Committee that Chapter 99 Article III Section 99-24 be amended as follows:

99-24. Fees.

The cost of permits per load (*per trip to the depot*) for cleanup days will be:

A car permit is \$50

A pickup truck permit is \$75

A trailer (non-commercial) permit is \$100

The number of permits sold for a scheduled cleanup event may be limited. Permits must be purchased prior to the cleanup day event at the Clerk's Office.

This ordinance shall become effective upon final passage and publication according to law.

APPROVED BY TOWNSHIP COMMITTEE

Zachary T. Rich, Mayor

ATTEST:

Maria Andrews, Township Clerk, RMC

It was noted for the record that the Committee wished to clarify that permit fees were for each “trip” and that purchasing 1 permit did not entitle the purchaser to multiple trips to the recycling depot on cleanup day.

A motion by Bergenfeld, seconded by Dale to introduce Ordinance 8, 2019 as revised, upon first reading was unanimously approved by roll call vote.

Bergenfeld: Yes, Cally: Yes, Dale: Yes, Rich: Yes

Mayor Rich noted for the record that the public hearing on Ordinance 8, 2019 will be scheduled for the Committee’s 5/15/19 meeting.

STANDING COMMITTEE REPORTS

Open Space – No report was given.

Environmental – Mr. Beaumont commented on the water test results from the High School indicating high levels of Teflon and suggested the Township building water be tested to see if neighboring properties are potentially being effected. Mr. Beaumont also commented on the wide spread recycling issues noting everything is winding up in the same place as the trash and he said the Environmental Committee is continuing to review the matter. Committeeman Bergenfeld remarked SWAC Coordinator Rollero has already indicated everything collected at the depot must be separated out.

Mayor Rich commented that at the last County Freeholders meeting the NJDEP change to the C1 stream corridor buffer was mentioned. He stated the comment period ends 6/1/19 and clarified that NJDEP is seeking to increase the buffer to 300 feet on each side of a C1 stream and limit the flow of current sewer systems which will basically shut down development in the Northwest part of the state. Mayor Rich remarked this will impact taxes and potential subdivisions of land.

Ag Advisory – A motion by Cally, seconded by Bergenfeld to post the 2/17/19 minutes to the website was unanimously approved by voice vote.

Finance Committee – Mr. Shute commented that the Committee met with CFO Carro and a decision was made to bond \$1.8 million for the road improvement projects for 10 years. CFO Carro commented bonding will eliminate short term notes. He remarked Mary Lyons from Phoenix Advisors, LLC can be at the Committee’s 5/1/19 meeting to answer any questions if necessary.

UNFINISHED BUSINESS

PennEast Status

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

Discussion: SHREC Lease Agreements Onyx, LLC – Possible Approval of Resolution #31-2019: Estoppel Certificate

Attorney Faherty noted he and Committeeman Cally recently met with 3 representatives of Onyx, LLC: Project Manager John Spillman, Engineer Daniel Swaize and Attorney Brian Schwartz. They will discuss the details of establishing a performance bond with Township Engineer Bill Burr and get back to the Township regarding the agreement.

NEW BUSINESS/OTHER

Appointment: Paul Hunt to the Ag Advisory Committee

Mr. Shute spoke up from the public commenting on the strict guidelines the SADC has and suggested he reach out to Stefanie Miller to confirm there will not be any issues if 2 members from the same family are serving on the township’s Ag Committee. Mayor Rich noted this matter will be held until the Committee’s 5/1/19 meeting.

Resolution: #62-2019: Mill Road Grant

Township of West Amwell
Resolution #62-2019

Resolution: Approval of Fiscal Year 2019 Municipal Aid Program for the Mill Road Improvement Project in the amount of \$150,000 and;

NOW THEREFORE BE IT RESOLVED, that the Township Committee of West Amwell Township formally approved the Municipal Aid Funding application for the above stated project and;

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized to sign the Municipal Aid Funding Agreement on behalf of the Township of West Amwell and that their signature constitutes acceptance of the terms and conditions of the Municipal Aid Funding Agreement and approval of the execution of the agreement.

Certified as a true copy of the Resolution adopted by the Township Committee at a meeting held on April 17, 2019.

Maria Andrews, Township Clerk, RMC

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the Municipal Aid Funding agreement and approval of the execution of the agreement as authorized by the resolution above.

Maria Andrews, Township Clerk, RMC

Zachary T. Rich, Mayor

A motion by Bergenfeld, seconded by Cally to approve Resolution #62-2019 was unanimously approved by roll call vote.

Bergenfeld: Yes, Cally: Yes, Dale: Yes, Rich: Yes

Acknowledgement: West Amwell Fire Company New Junior Member – Robert Reed

Mayor Rich acknowledged Junior Member Robert Reed.

Discussion: Garbage Permit Rate Increase 2019-2020 Season

It was noted for the record that this matter will be carried to the Committee's 5/1/19 meeting in order for SWAC Coordinator Ryan Rollero to be present for the discussion.

Discussion: Annual Stipend for Eyeglasses and Contact Lenses

Clerk Andrews explained that with the Committee's recent decision to do away with the stipend for non-covered medical insurance procedures and provide dental insurance starting January 2020, several staff members asked if it would be possible to continue offering an annual stipend specific for eyeglasses and contact lenses. The Committee noted the Township should not want be in the position of having to monitor these types of payback programs and believed offering State run insurance programs was the best option for the employees.

Discussion: Draft Amended Policy – Sick/Vacation/Personal Days

Clerk Andrews explained the amended draft policy provides for clarification on part time staff members who work a certain amount of hours per week rather than specific days. A motion by Bergenfeld, seconded by Dale to adopt the amended policy manual and authorize Clerk Andrews to distribute it to the staff was unanimously approved by roll call vote.

Bergenfeld: Yes, Cally: Yes, Dale: Yes, Rich: Yes

Discussion: Approval Process for Vouchers

Mayor Rich explained he would like additional checks and balances in place when it comes to processing vouchers for payment. He clarified that all department heads and board chairs/secretaries must first be reviewing their respective expenses and then the invoices

should be given to the Finance Department for processing. It was noted Clerk Andrews will send an email out so everyone is aware of the new protocol.

OPEN TO THE PUBLIC

Prior to going into Closed Session, Mayor Rich opened to the public. Dave Beaumont came forward and thanked everyone who was instrumental in getting the Mill Road grant. He also commented that he had received his Homestead Rebate and wondered if there are people in the Township who are not aware they may be eligible for one. He indicated he will reach out to Tax Collector Mary Hyland about this matter.

Mayor Rich clarified that the Township's DPW is taking on some of the Mill Road work in order for the whole road to be repaired. Committeeman Bergenfeld added that he is aware the County will be resurfacing Route 579 this summer.

Committeeman Cally commented that septic repairs have begun on the Quick Chek site to address their malfunctioning system.

Seeing no other members of the public come forward, a motion was made by Bergenfeld and seconded by Cally to close to the public. The motion was unanimously approved by voice vote.

OTHER

Resolution #63-2019: Closed Session – Personnel/Contracts – Litigation/Affordable Housing

Present for the discussion was Finance Committee Member Hal Shute and Township Attorneys Philip J. Faherty, III and Katrina Campbell.

A motion by Bergenfeld, seconded by Cally to enter into closed session was unanimously approved by roll call vote.

Bergenfeld: Yes, Cally: Yes, Dale: Yes, Rich: Yes

Resolution #63-2019

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: Mt. Laurel Litigation, personnel/contracts and subjects falling under Attorney-Client privilege.
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.

Maria Andrews, Township Clerk

A motion by Dale, seconded by Bergenfeld to go back into open session was unanimously approved by roll call vote.

Bergenfeld: Yes, Cally: Yes, Dale: Yes, Rich: Yes

The Committee was in closed session from 8:30 PM – 9:15 PM.

It was noted for the record that the Police Secretary position was discussed with Mayor Rich and Committeeman Cally to conduct second round interviews with the top 2 candidates recommended by AOIC Skillman.

With regard to the Police Lieutenant position, Mayor Rich explained an oral exam was conducted prior to the Township learning that they must follow the Ordinance rather than the police policy if an ordinance is in place. Therefore, he noted the candidates must take a written exam per the ordinance. He stated the position will be re-advertised for 2 weeks and a written exam date will be scheduled through the Chief's Association and the process will move forward from there. Clerk Andrews was asked to get the details, costs and timeframe associated with scheduling the written exam.

ADMINISTRATIVE

Treasurer: Bill List 4/17/19

A motion by Dale, seconded by Bergenfeld to approve the Township's 4/17/19 Bill List was unanimously approved by roll call vote.

Bergenfeld: Yes, Cally: Yes, Dale: Yes, Rich: Yes

It was noted for the record that no comments were made on any of the other administrative reports listed on the agenda.

CORRESPONDENCE

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

ADJOURNMENT

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

The meeting adjourned at 9:21 PM.

Maria Andrews, Township Clerk, RMC

Approved: 5/1/19