

WEST AMWELL TOWNSHIP COMMITTEE MEETING

December 27, 2018 - 7:30 p.m.

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 Stephen Bergenfeld, Deputy Mayor Gary Hoyer, Committeemen James Cally, John Dale and Zachary Rich, Acting Clerk Maria Andrews and Attorney Philip J. Faherty III.

Acting Clerk Andrews 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 5, 2018, 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 Acting Municipal Clerk.

FLAG SALUTE

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

AGENDA REVIEW BY ACTING TOWNSHIP CLERK

Acting Clerk Andrews noted the Covanta waste management agreement had been received. Mayor Bergenfeld noted the matter will be added under New Business for discussion.

ANNOUNCEMENTS

- The Twp. Comm. Re-org Meeting is on Wed. 1/2/19 at 7:30 PM
- 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 Dale to approve the Township Committee's 12/5/18 minutes as revised was unanimously approved by voice vote.

OPEN TO THE PUBLIC/TOPICS NOT ON THE AGENDA

Mayor Bergenfeld opened the floor to public comment. Harry Heller of 27 Old York Road came forward and requested the Committee consider implementing a requirement that adjoining property owners are notified when new septic systems are being installed. He explained that the property next door to him recently sold and the new owners had contractors working up until 10 PM on some evenings to install the new septic system. He noted the mound is at least 8' to 10' high and he believes it's only 20 ft. from the property line. Mr. Heller expressed concern that the system may not have been constructed according to the approved plans.

Local Contractor John Cronic spoke up from the public offering an explanation for the late night construction saying one of his jobs was delayed due to a tank delivery truck breaking down.

Mayor Bergenfeld stated that he doesn't believe property owners are under any obligation to notify adjoining property owners of new septic installations and suggested that Mr. Heller reach out to the County Board of Health if he believes the system was not constructed according to the approved plans since they have jurisdiction to enforce any violations.

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

SPECIAL PRESENTATIONS

Reports by Department Heads

Mr. Heller, as the Director of OEM, gave a quick report indicating they had a peaceful year. He noted he had not spent any of his budgeted money for the year and that there were no situations that required FEMA funding in 2018. Mr. Heller also stated that OEM is in the process of trying to get a generator.

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

Public Hearing: Ordinance 12, 2018 – AN ORDINANCE TO AMEND CHAPTER 153, SECTION 153-21 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY: *Installation of “Multi-Way” Stop Control at the Intersection of Rock Road West and Corsalo Road*

Ordinance 12, 2018

**AN ORDINANCE TO AMEND CHAPTER 153, SECTION 153-21 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY
*Installation of “Multi-Way” Stop Control at the Intersection of Rock Road West and Corsalo Road***

WHEREAS, the Township Committee of the Township of West Amwell, County of Hunterdon, State of New Jersey, finds it in the interest of public safety to designate Rock Road West and Corsalo Road as a Multi-Way Stop Intersection pursuant to N.J.S.A. 39:4-8;

WHEREAS, the Municipal Engineer has submitted and certified all the legislative requirements pursuant to N.J.S.A. 39:4-8, and the criteria as set forth by the Manual on Uniform Traffic Control Devices (MUTCD) have been met;

NOW, THEREFORE BE IT ORDAINED by the Township Committee of the Township of West Amwell, County of Hunterdon, State of New Jersey that Chapter 153, Section 153-21, Multiway stop intersections, be amended as follows:

Section 1

Multi- Way Stop Intersection:

Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections herein described are designated as multiway stop intersections. Stop signs shall be installed as provided herein.

Intersection

Rock Road West and Corsalo Road

Stop Signs On:

All approaches

Penalties: Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of any provision of this Ordinance or any supplement thereto shall be liable to the penalty of not more than fifty dollars (\$ 50.00) or imprisonment for a term not to exceed fifteen (15) days or both.

Section 2

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed and this Ordinance shall take effect immediately upon final passage and upon the installation of the required signs and pavement markings.

Section 3

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

APPROVED BY THE TOWNSHIP COMMITTEE

Stephen Bergenfeld, Mayor

ATTEST:

Maria Andrews, Acting Clerk

Acting Clerk Andrews provided proof of publication noting the 12/13/18 edition of the Hunterdon County Democrat.

A motion by Cally, seconded by Dale to open the floor to public comment was unanimously approved by voice vote.

Dave Beaumont of 205 Rock Road West thanked the Committee for their efforts in establishing Ordinance 12, 2018. Seeing no other members of the public come forward, Mayor Bergenfeld closed the floor to public comment.

A motion by Cally, seconded by Hoyer to adopt Ordinance 12, 2018 was unanimously approved by roll call vote.

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

STANDING COMMITTEE REPORTS

Open Space – No report was given.

Environmental – No report was given.

Ag Advisory – The Committee authorized the posting of the 8/2/18 and 10/4/18 minutes to the Township's website.

Finance Committee – No report was given.

UNFINISHED BUSINESS

Discussion: SHREC Lease Agreements with Gregg Cousoulas of Onyx, LLC – Possible Approval of Resolution #124-2018: Estoppel Certificate

Attorney Faherty explained he is still working with Attorney Spillman on determining what the post-sale operations will be and who the Township's contact person will be. He also noted that he has determined the project is transferable.

Attorney Faherty stated nothing else in the contract has been changed.

With regard to the bond Mr. Rich had referred to in a prior meeting, Attorney Faherty said neither West Amwell or Lambertville has a record of such funds and believes that the bond may never have been established.

Mr. Hoyer asked why West Amwell is referred to as the "Landlord" throughout the lease agreement. Attorney Faherty indicated he didn't know but stated the new agreement refers back to the original documents so the landlord reference doesn't matter.

Mayor Bergenfeld requested the matter be carried to the Committee's 1/16/19 regular meeting agenda.

Re-location of Police HQ to Basement – Status Update

Mayor Bergenfeld explained the painter will be at the building tomorrow to perform some prep work for the paint spraying which will likely take place over the upcoming weekend.

Donation from JCP&L and Enbridge for Class III Officer Training

Mayor Bergenfeld noted he has secured an \$1150.00 donation from JCP&L for the Class III Officer's to provide educational training to the students. He remarked he believes Enbridge will also be providing the same amount but has not yet received confirmation.

NEW BUSINESS/OTHER

Resolution #125-2018: Appointing Maria Andrews as Township Clerk

RESOLUTION #125-2018 TOWNSHIP OF WEST AMWELL COUNTY OF HUNTERDON STATE OF NEW JERSEY

Appointment of Municipal Clerk

WHEREAS, Maria Andrews has successfully passed the Registered Municipal Clerk Courses and successfully passed the State Exam for Certification, and

WHEREAS, Maria Andrews had been previously appointed Acting Clerk for the Township of West Amwell, and

WHEREAS, NJSA 40A:9-133.1 requires a municipality to have a Registered Municipal Clerk,

WHEREAS, the Municipal Clerk's salary will be set to \$71,463.00 per year pending certification of the availability of funds by the Chief Financial Officer, and is subject to all annual percentage increases, and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of West Amwell hereby appoints Maria Andrews as the Township's Municipal Clerk at \$71,463.00 per year pending certification of the availability of funds by the Chief Financial Officer, with the appointment being effective as of December 27, 2018 when the availability of funds is certified, and authorizes the Clerk to exercise the duties of the Registered Municipal Clerk, (RMC), with specific relevance to the authority, responsibility, and accountability to the Township of West Amwell with a term ending December 27, 2021.

By Order of the Township Committee

Stephen Bergenfeld, Mayor

Attest:

Maria Andrews, Township Clerk

A motion by Hoyer, seconded by Dale approving Resolution #125-2018 and appointing Maria Andrews as the Township Clerk for a 3 year term was unanimously approved by roll call vote.
Cally: Yes, Dale: Yes, Hoyer: Yes, Rich: Yes, Bergenfeld: Yes

Clerk Andrews took a moment to express appreciation for the Committee giving her the opportunity to serve as West Amwell's Acting Clerk this past year and expressed gratitude for their support in allowing her to take the certification classes.

Resolution #127-2018: SHRHS Band Parents Association Raffle

RESOLUTION #127-2018

WHEREAS, application has been received the Township of West Amwell to grant a raffle license, and

WHEREAS, no objections have been received the Clerk of the Township, nor were any objections made at the meeting.

NOW, THEREFORE BE IT RESOLVED that the raffle license be granted

TO: SHRHS Band Parents Association
BENEFIT: To fund Band Activities
DATE: February 23, 2019
TIME: 5:00 p.m. – 10:00 p.m.
LOCATION: South Hunterdon Regional High School
301 Mt. Airy-Harbourton Road, Lambertville NJ 08530

I hereby certify this to be a true copy of a Resolution adopted by the West Amwell Township Committee at a meeting held on December 27, 2018.

Maria Andrews, Acting Clerk

A motion by Hoyer, seconded by Dale approving Resolution #127-2018 was unanimously approved by roll call vote.
Cally: Yes, Dale: Yes, Hoyer: Yes, Rich: Yes, Bergenfeld: Yes

Resolution #129-2018: Authorization of Sale of 2013 Ford Taurus

WEST AMWELL TOWNSHIP
RESOLUTION #129-2018

WHEREAS, the West Amwell Township Committee desires to sell at auction, the Township's 2013 Ford Taurus (Patrol Unit 26-17) through MunicBid; and

NOW, THEREFORE BE IT RESOLVED, that the 2013 Ford Taurus will be auctioned and sold to the highest bidder.

I hereby certify the foregoing to be a true copy of a Resolution approved by the West Amwell Township Committee at their meeting on December 27, 2018.

Maria Andrews, Acting Municipal Clerk

A motion by Cally, seconded by Rich to approve Resolution #129-2018 was unanimously approved by roll call vote.

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

Resolution #130-2018: Authorization to Purchase Turn out Gear

It was noted for the record that Resolution #130-2018 was rescinded upon verification from CFO Tom Carro that there is no available funding in the Township's 2018 budget. It was noted the Committee will need to either bond for the equipment or provide the funding in the Fire Department's 2019 budget.

Discussion: Release of 2018 Closed Session Minutes – Authorization from Attorney Faherty

Attorney Faherty indicated he had reviewed the list of all closed session minutes from 2018 and indicated all could be released except for 4 sets which consisted of discussions relating to pending litigation.

A motion by Cally, seconded by Rich to release the Committee's 2018 closed session minutes except for those sets noted by Attorney Faherty was unanimously approved by roll call vote.

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

Discussion: Authorization to Seek an Appraiser for COAH Requirements/Settlement Agreement

Clerk Andrews explained Attorney St. Angelo had indicated the Committee needs to authorize an appraiser be sought if needed to facilitate implementing the Township's COAH requirements under the pending Settlement Agreement.

Mr. Cronce spoke up from the public and indicated Mr. Schiable of Vanguard Appraisal Services has been used for Open Space preservation projects in the past.

Mayor Bergenfeld noted he is familiar with Appraiser Gary Tighue in Hamilton, NJ and remarked that with the Township's QPA, we don't need quotes for any job under \$6000.

It was noted for the record that the Committee took no issue with an appraiser being contacted regarding COAH matters.

Discussion: Email Dated 12/13/18 from Qscend, re: Email Service

Clerk Andrews noted the Township's email service host has indicated that as of July 1, 2019 they will no longer support West Amwell's email service due to their limited storage capabilities. Mr. Beaumont spoke up from the public suggesting the Township's Technology Committee get involved to research other options and requested a copy of the letter from Qscend.

Discussion: Proposed Increased Zoning Permit Fees

It was noted for the record that Zoning Officer Baldino is suggesting 2 minor increases in the amounts of \$25.00 each as well as the addition of specific language to reference retaining walls.

A motion by Cally, seconded by Rich to authorize the suggested zoning permit fee increases and subsequent Ordinance amendment was unanimously approved by roll call vote.

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

Discussion: Covanta Service Agreement

Mayor Bergenfeld explained the agreement is acknowledging a \$5.00 price increase. The Committee took no issue with the agreement being signed and returned to Covanta.

OTHER

Resolution #131-2018: Closed Session – Personnel/Contracts – Litigation/Affordable Housing

It was noted for the record that the Committee did not enter into closed session.

ADMINISTRATIVE

Treasurer: Bill List 12/27/18

A motion by Rich, seconded by Cally to approve the vouchers for payment as listed on the bill list was unanimously approved by roll call vote.

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

Resolution #128-2018: Budget Appropriation Transfers

PURSUANT TO NJS 40A:4-58, a municipality may make budget appropriation transfers during the last two months of the fiscal year,

WHEREAS, there appears to be insufficient funds in the following 2018 appropriation accounts to meet the demands thereon for the balance of the year, viz:

<i>Current Fund:</i>		
<i>Salaries and Wages:</i>	Other Expenses:	
<i>Board of Health</i>	Revenue Administration	Telephone
<i>Municipal Court</i>	Tax Assessor	Social Security
	Legal Services	Police
	Vehicle Maintenance	

WHEREAS, there appears to be a surplus in the following accounts, over and above the demand deemed to be necessary for the balance of the current year, viz:

<i>Current Fund:</i>	
<i>Salaries and Wages:</i>	Other Expenses:
<i>Construction Official</i>	Group Insurance
<i>Police</i>	

NOW THEREFORE BE IT RESOLVED, that in accordance with the provision of NJS 40A:4-58 part of the surplus in the accounts heretofore mentioned be and same hereby transferred to the accounts mentioned as being insufficient, to meet the current demands; and,

BE IT RESOLVED, that the Chief Financial Officer is hereby authorized and directed to make the following 2018 appropriation transfers:

	<u>FROM</u>	<u>TO</u>
<i>Salaries and Wages:</i>		
<i>Construction Official</i>	\$ 10,000.00	
<i>Police</i>	14,250.00	
<i>Board of Health</i>		700.00
<i>Municipal Court</i>		3,300.00
<i>Other Expenses:</i>		
<i>Group Insurance</i>	15,000.00	
<i>Revenue</i>		
<i>Administration</i>		600.00
<i>Tax Assessor</i>		750.00

<i>Legal Services</i>		14,000.00
<i>Vehicle Maintenance</i>		2,700.00
<i>Telephone</i>		1,700.00
<i>Social Security</i>		5,500.00
<i>Police</i>		10,000.00
TOTALS	\$ 39,250.00	\$ 39,250.00

Meeting
12/27/18
Prepared by: Thomas J Carro,
CMFO

A motion by Dale, seconded by Hoyer to approve Resolution #128-2018 was unanimously approved by roll call vote.
Cally: Yes, Dale: Yes, Hoyer: Yes, Rich: Yes, Bergenfeld: Yes

Tax Collector: Resolution #126-2018: Tax Sale Certificate – Block 55 Lot 2

RESOLUTION #126-2018

WHEREAS Tax Sale Certificate #201805 for Block 55, Lot 2; 204 Circle Drive East on September 17th 2018 to Christiana T C/F CE 1/Firsttrust and

WHEREAS the amount of \$10,123.45 has been received for the owner MVRA LLC, for the redemption of this Certificate #201805,

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare, and the Mayor, Clerk and Treasurer be authorized to sign a check in the amount of \$10,123.45, and,

THEREFOR BE IT FURTHER RESOLVED that an additional check in the amount of \$500.00 for the premium paid for this Certificate #201805 be prepared and that these checks be mailed to:

Christiana T C/F CE 1/ Firsttrust
PO Box 5021
Philadelphia PA 19111-5021

By Order of the Township Committee

Stephen Bergenfeld, Mayor

A motion by Cally, seconded by Hoyer to approve Resolution #126-2018 was unanimously approved by roll call vote.
Cally: Yes, Dale: Yes, Hoyer: Yes, Rich: Yes, Bergenfeld: Yes

DPW Report

Mayor Bergenfeld acknowledged receipt of the report provided by the Township’s Director of Public Works and Roads Ryan Rollero.

Minutes – 12/27/18

CORRESPONDENCE

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

ADJOURNMENT

A motion by Cally, seconded by Dale to adjourn the meeting was unanimously approved.

The meeting adjourned at 8:24 PM.

Maria Andrews, Township Clerk RMC

Approved: 1/16/19