

WEST AMWELL TOWNSHIP COMMITTEE MEETING

January 14, 2013 - 7:00 p.m.

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

The regular meeting of the West Amwell Township Committee was called to order at 7:00 p.m. Present were Mayor Zachary T. Rich, Deputy Mayor Thomas J. Molnar, Committeeman George A. Fisher, Clerk Lora Olsen and Attorney Philip J. Faherty III. Also in attendance were Regina Taylor, Mike Janoski, Chris Rose, Phil Rosso, Phil Langon, Hal Shute, Chester Urbanski, Tim Lelie, Rob Fulper, Mr. & Mrs. Clapp, Mr. Pietras, Andrea Robertson, Richard Hilton and 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 included in the Resolution faxed to the Hunterdon County Democrat and Trenton Times on January 2, 2013, was posted on the bulletin board in the Municipal Building on said date and has remained continuously posted as required under the Statute. A copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

The meeting was recorded via digital recording system.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

Chris Rose led the assembled group in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following items were added: Closed Session. Deleted were: Administrative 13.A & 13.B

ANNOUNCEMENTS

The following announcements were made:

- Municipal Offices Closed January 21, 2012 for Martin Luther King Day
- 2013 Dog Licenses Due
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The following meeting minutes unanimously approved on motion from Fisher, seconded by Molnar.

December 27, 2012 Regular
December 27, 2012 Closed Session
January 2, 2013 Re-Organization

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

Tim Lelie reported on problems on George Washington Road, including cars parked along the roadway, which does not leave room for emergency vehicles, and is due to downed wires and trees in the Park's lot. Mr. Lelie also mentioned that there are plans to rebuild the gate but indicated that more substantial coordination is needed in order to get access for JCP&L crews into the locked lot, and offered that the police should have a key to the gate. Mr. Rich offered to meet with the Washington State Park official about the gate and will contact John Anderson of JCP&L concerning the downed wires. Another possible contact is John Trontis who now works at the State.

Mr. Lelie also questioned where plans stand for the rebuilding of the road surface. Although there are but 5 families living on the road, the Park increases the use. He also noted that there are 5 to 7 foot drop offs along the roadway and barely enough room for one car. Mr. Fisher relayed that a case was made to the State to help with the road but in order to get State money, the road would have to be brought up to State standards; therefore, the expense falls to the Township. The Township Engineer has been consulted and there may be a way to grind up the surface and re-spread the millings.

Another question concerned the possibility of making the bottom connection to Weeden Street passable. This would involve two culverts, some pipes and rocks. The current situation is not drivable and creates a one way in-out situation which is a safety issue. Mr. Molnar offer to speak with Road Supervisor Hoagland about this work.

The Committee unanimously agreed to change the order of the Agenda.

Parks & Recreation

- *Announcement of Christmas Lighting Contest Winners:* Two of the six winning families were in attendance. Mr. Molnar presented \$30 gift certificates to the Clapp family of Old 518 West for their unique Santa/wisemen display and to Bob Pietras of Wilson Road for his production of the manger scene, complete with star. Mr. Molnar expressed appreciation to all participants. The remaining certificates will be mailed to those who were unable to attend.

SPECIAL PRESENTATION(S)

Construction Official Rose presented 2012 revenues and expenses, noting that the former is up substantially from 2011. The projection for 2013 is construction in the NV Homes development. There is currently one house in for Zoning clearance prior to construction review, although the website shows some other lots as sold. The total subdivision is 14 lots. Generators have kept the department extremely busy both last year and now. These permits go for \$250-350, with new house permits running \$4,000-\$5000. The permit back log and work done without permits was touched upon as this situation has caused problems for the Assessor. Mr. Rose requested that extra hours be allowed for Regina to work on the lists provided, noting that each file takes an hour or two to research given the two computer systems (UCCARS & NJ Permits) that need to be checked. This led to the file and storage situation as the State requires that the permit files be maintained for the life of a structure. It is anticipated that the work of getting the files in B/L order will take 2-3 weeks, once file cabinets and shelving are in place. With space at a premium in the Construction office, Mr. Fisher suggested that new files be placed in the meeting room. Mr. Rose also requested a new computer for the office. An ordinance for the purchase of lateral file cabinets was requested to be prepared for the next meeting. When questioned about the order of permit issuance, Mr. Rose responded that new work is handled first with work on the list of older/no permits to be handled through extra Saturday hours.

Electric subcode inspector Mike Janoski reviewed some department stats, noting that 2011 revenues met and exceeded the budget, and that, although the anticipated work for 2012 didn't materialize, revenues are up with 218 permits in 2012 vs 177 in 2011. Whether this was due to the recent re-assessment work that flushed out work without permits was questioned with Mr. Janoski responding in the negative.

Mr. Rose noted for the record that the State doesn't want the Township to make money on permits, preferring a breakeven point, otherwise, fees would have to be lower. He just wants to improve the current system and move on.

Building subcode inspector Phil Rosso commented that there's a lot of old inspections due to no follow through in the office. However, as the State controls his license, he's not comfortable putting his signature on projects with lack of paperwork and this puts the Township in a bad situation.

Due to the information discussed, the Salary and Wage ordinance will be amended to bring the subcode officials back to the 2012 level.

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING - None

SPECIAL AND/OR STANDING COMMITTEE REPORTS

Open Space

- *Authorization to Post January 18, 2012, November 13, 2012 & December 12, 2012 Minutes to Website:* Approved

Aq Advisory

- *Authorization to Post December 6, 2012 Minutes to Website:* Approved
- *Farming the Farm:* Chester Urbanski presented a map of the areas to be farmed and introduced Andrea Robertson and Richard Hilton as folks interested in doing this work. Mr. Hilton overviewed his varied career work and gave some background on the type farming that he's been involved in. He noted that he and Andrea are partners, as well as 40 year friends. Ms. Robertson lives and works locally and saw the article in the Observer. Mr. Hilton proceeded to describe the type of farming operation envisioned, the structures that would be needed--PVC hoop frames and possible metal frame ones--as well as an electric fence to guard against deer. His goals would be to increase soil fertility and biomass, reduce the presence of weeds, and produce a marketable crop. Access by FFA or 4H as well as Northeast Organic Farms members is envisioned due to the labor needs, especially for the 35 acre field. Concerns over investment and length of contract term were briefly mentioned as was the water issue needed with a vegetable farming operation. The latter could be handled via water tanks and an irrigation drip method but a well was mentioned as another possibility. Mr. Hilton is prepared to compensate the Township \$1000 for the lease of the property. Some other possible uses mentioned were bees, livestock (perhaps hogs), specialty herbs, and berries. As a lot of money would need to be invested into this venture, it would take at least a 5 year lease to reap a

benefit, although a 10-12 year time period would be better. Mr. Hilton spoke about accessing other resources and obtaining Sustainable Ag grants. As for equipment needed, poly structures and wood side boards, PVC hoops with roll up sides, and PVC metal frame structures were indicated. Ms.

Robertson offered that she has ag connections in the community and farmer friends such as the Bonds and the Fulpers. Mr. Urbanski, Mr. Hilton and Ms. Robertson left the meeting.

Rob Fulper came forward stating that he had also expressed interest in farming the property to Mrs. Olsen. His plan would entail hay rotation and no-till crops with no more chemicals than necessary. Mr. Fulper offered brush hogging in an effort to work with the Township. The solar installation status was briefly discussed although there are no answers as yet. The array is anticipated to cover 3.5 acres but due to wetlands will not be in the corner as originally planned. Mr. Fulper noted that an array plopped in the middle of the field is troublesome. Also noted was that the next generation of the family is most interested in farming the property.

Mr. Clapp, who works in the Department of Agriculture at NRCS, came forward to express concern with the proposed veggies, fencing and water, offering that if the party is willing to invest the time and money, ok. However, what does the Township Committee and/or residents want to see here. Mr. Rich inquired whether Mr. Clapp might be interested in a spot on the Board of Health.

UNFINISHED BUSINESS

Appointments – Cathy Urbanski was appointed to the Recycling Committee (1 year term) and an expired 3 year term (12/31/13) on Open Space. The Technology committee, consisting of Dave Beaumont, Harry Heller, Rob Tomenchok, and Lora Olsen was also re-appointed. Mr. Rich is the liaison.

ACO Shared Services Agreement – Delaware, Lambertville and East have signed on to the new agreement. However, Delaware would like an amendment for the 4 municipalities to chip in to provide a direct cell phone number to the ACO. This was not seen as desirable as a record of where the ACO is sent is needed. The Clerk was requested to send a letter to Delaware Township stating that the agreement stands 'as is'...no cell phone.

RESOLUTION #33-2013

Authorizing a Shared Services Agreement for Animal Control Services

WHEREAS, the municipalities of Delaware Township, East Amwell Township, the City of Lambertville and West Amwell Township have agreed to share the services of an Animal Control Officer (ACO); and

WHEREAS, shared services are authorized by N.J.S.A. 40A:65-1, et seq; and

WHEREAS, said municipalities have reviewed the Shared Services Agreement as proposed by lead agent, West Amwell Township

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of West Amwell, County of Hunterdon and State of New Jersey, that the Mayor and Clerk are authorized to sign the Shared Services Agreement for Animal Control Services as presented under the terms and conditions agreed to by the signatories.

BE IT FURTHER RESOLVED that the terms of the Shared Services Agreement shall be effective January 1, 2013 and extend through December 31, 2013.

BE IT FURTHER RESOLVED that a copy of this Resolution and the executed Shared Services Agreement be forwarded to the Department of Community Affairs.

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

A brief recess was called at 8:32 p.m.

2003 Bond Refunding Discussion/Resolution – CFO Tom Carro reviewed the three options, their pros/cons, terms and savings. The beauty of the proposed direction is that quotes are received from banks vs bonding. Hal Shute questioned the proposed 4 year payoff although he was okay if savings can be realized. Mr. Carro relayed that this may run a penny on the tax rate but that more damage will be done by waiting. The closing will take place on February 15th and bank quotes will be obtained for the next meeting. Option 2 was selected.

TOWNSHIP OF WEST AMWELL
RESOLUTION #34-2013
RESOLUTION TO PERMIT SOLICITATION OF BANK QUOTES
FOR SALE OF REFUNDING BONDS – 2003 BOND ISSUE

WHEREAS, general improvement bonds in the amount of \$ 4,009,000 were issued by the Township on February 15, 2003 and said bonds are callable on or after February 15, 2013, It is the intent of the Township to refinance these bonds and reduce the principal by applying \$ 1,500,000 of Open Space Trust Fund Balance to the current liability.

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of West Amwell authorize the Chief Financial Officer/Bond Counsel to solicit bank quotations on said bonds and report the results to the Township Committee at the next regular meeting.

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

Resolution Releasing Performance Bond – BMV Group – The roof has been inspected and a construction certificate expected shortly. There was a concern about a downspout but apparently this was missing prior to the roof work.

RESOLUTION #35-2013

WHEREAS, BMV Group LLC has completed the Roof Replacement for Portions of the Police/Fire/OEM Building Located at 24 Mt. Airy Village Road; and

WHEREAS, said project has been inspected and approved by the Township Building Inspector; and

WHEREAS, the BMV Group LLC has requested the release of their Performance and Payment Bond and acceptance of Maintenance Guarantee in the amount of \$35,000.00; and

WHEREAS, a maintenance guarantee in the amount of \$35,000; and

WHEREAS, Attorney Faherty has approved the form of the maintenance guarantee and has advised that the Performance and Payment bond can be released to the applicant; and

THEREFORE BE IT RESOLVED by the Township Committee of the Township of West Amwell, County of Hunterdon, State of New Jersey the requested bond is hereby released and the maintenance bond accepted for the referenced project.

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

Resolution Authorizing Purchase of Microphones – The age of the existing equipment was relayed and a determination made to move forward with the purchase.

RESOLUTION #36-2013

WHEREAS, West Amwell Township is in need of new microphones for use with the FTR recording system; and

WHEREAS, Office Business Systems Inc. will provide 4 Astatic Gooseneck microphones with shockmount base and 1 Astatic handheld microphone for the existing stand, including installation and one year warranty for parts and labor for \$1,090.00; and

WHEREAS, the CFO has certified that funds are available in Ordinance 10, 2012 for this purpose.

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the purchase of new microphones be authorized as per the attached proposal.

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

Resolution Authorizing Purchase of New Recording Laptop – This current laptop is a 2005 unit that had a software update in 2010. There have been problems from time to time. The decision was to hold off until the unit expires.

Resolution of Appointment of MHL/AA –

WEST AMWELL TOWNSHIP, HUNTERDON COUNTY
RESOLUTION #37-2013

RESOLUTION APPOINTING A MUNICIPAL HOUSING LIAISON

WHEREAS, West Amwell Township was granted substantive certification of its Housing Element and Fair Share Plan by the Council on Affordable Housing (COAH) on May 14, 2009; and

WHEREAS, West Amwell Township's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et. seq.); and

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., West Amwell Township is required to appoint a Municipal Housing Liaison for the administration of West Amwell Township's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, West Amwell Township has amended Chapter 33 entitled Officers and Employees to provide for the appointment of a Municipal Housing Liaison to administer West Amwell Township's affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of West Amwell Township in the County of Hunterdon, and the State of New Jersey that Victoria A. Rose is hereby appointed by the Governing Body of West Amwell Township as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Section 33 of West Amwell Township's Code of the Township of West Amwell.

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

Port-a-John – The current unit cannot be repaired. A rental unit from Johnny on the Spot at approximately \$100/month was unanimously approved on motion by Fisher, seconded by Rich.

NEW BUSINESS

Pipeline & Compression Station Proposals for Re-Assessment – Mr. Fisher will make contact to ascertain whether this estimate is for pipes only. There was concurrence to move forward on the appraisal pending the results of Mr. Fisher's research. If it's a go, a professional services contract will be needed for next meeting.

Discussion Concerning Insurance Provider – Mr. Rich offered that he has reviewed the contract and is concerned that the rates were raised by 5% based on the Township's census numbers. He requested that Attorney Faherty review the information and questioned whether this is something that should be bid out.

Request from County for Emergency Preparedness Plan for Elections – The County Board of Elections is requesting details of the Township's emergency preparedness plan in case of power outage or other disaster. The status of generator was questioned and is in the hands of the Township Engineer.

Resolution for former Committeeman Frank Masterson – Mrs. Olsen was requested to read the following into the meeting record:

RESOLUTION #38, 2013

WHEREAS, on January 3, 2013, Francis “Frank” P. Masterson passed from life on this earth as part of the sovereign plan of our Almighty God; and

WHEREAS, Frank was a life-long area resident, the last 45 years of which was spent in West Amwell; and

WHEREAS, Frank served his country and state, spending four years in the United States Navy and 31 years with the NJ State Police, as well as with the NJ Department of Education after his police retirement; and

WHEREAS, Frank gave freely of his time and talents to various charitable and sportsman’s organizations; and,

WHEREAS, Frank served from January 2008 to December 2010 as an elected Township Committeeman and was Deputy Mayor in 2010; and

WHEREAS, in May 2008, Frank orchestrated the township’s first Memorial Day service in recent times at the municipal building to honor two young West Amwell residents who made the ultimate sacrifice in Vietnam; four servicemen that met the same fate in WWII; and recognized six other surviving WWII veterans with West Amwell roots

IT IS HEREBY RESOLVED, by the Township Committee, acting on behalf of the residents of West Amwell, that Francis “Frank” P. Masterson be recognized as having served his community in a dedicated, honest and unselfish manner, as an individual and public servant, devoting many hours to the well being of the residents of West Amwell Township and the community at large.

BE IT FURTHER RESOLVED, that appreciation for this service be extended to his family. May we all endeavor to be citizens showing Frank’s character and dedication so that West Amwell may continue to be the kind of community he could be proud to say was his home on earth.

BE IT FURTHER RESOLVED, that in addition to spreading this Resolution in the records of the Township, a copy be presented to Frank’s family with our humble appreciation and deep sympathy.

<i>Zachery T. Rich</i>	<i>Thomas J. Molnar</i>	<i>George A. Fisher</i>
_____ Zachary T. Rich Mayor	_____ Thomas J. Molnar Committeeman	_____ George A. Fisher Committeeman

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

OPEN TO THE PUBLIC

Mrs. Clapp came forward concerning what to do with tree stumps in the wake of Hurricane Sandy. They cannot be burned and are quite large in diameter. Mr. Fisher advised that these be cut to manageable size and brought here for the tub grinder. Mrs. Clapp also commented that Curtis Coleman is incredibly helpful at the recycling depot.

RESOLUTION #39-2013

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
CONTRACT NEGOTIATIONS

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 approved on motion by Fisher, seconded by Molnar.

ADMINISTRATIVE REPORTS

Clerk/Human Resources – Review of Policy & Procedures Manual/Discussion - Held

Construction – The December 2012 Permit Fee Log details (16), Monthly Activity Report-Permits, Payment Audit Report (\$6,420.00), Monthly Activity Report-Certificates (5), Certificate Log Detail (5) were received for PermitsNJ. *The report was unanimously accepted as filed.*

Website Review – Held

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 9:20 p.m. on motion from Fisher.

Respectfully submitted,

Lora Olsen, RMC
Township Clerk

APPROVED: January 23, 2013