

WEST AMWELL TOWNSHIP COMMITTEE MEETING

March 15, 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, Deputy Mayor Stephen Bergenfeld, Committeeman Zachary T. Rich, Committeeman James Cally, Clerk Lora Olsen and Attorney Philip J. Faherty III. Committeeman Gary Hoyer was excused. Also in attendance at various times were Tom Carro, Hal Shute, Dave Beaumont, Chris Rose, Leslie Grillo, Heidi Tomenchok, Harry Heller, John Sellner and Sandy Haberle.

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.

The meeting was recorded via digital recording system.

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 deleted: 7.A. Tilson/Verizon Wireless; 13.A. Treasurer Resolutions; 13.B. Tax Collector

ANNOUNCEMENTS

- Free Ident-A-Shred Event – April 1, 9 a.m. to Noon, Parking Lot behind Flemington Historic Court House, 71 Main Street – County Residents only
- Well Water Testing for Township Residents, Collection Kits Available for Purchase on May 20th 8 a.m. to 12:30 p.m. at Municipal Building, see Website for Further Details
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The March 1, 2017 Regular and Closed Session minutes were unanimously approved on motion from Bergenfeld, seconded by Cally.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

No one came forward at this time.

SPECIAL PRESENTATION(S)

Reports by Department Heads –

Construction Official Chris Rose and Construction Office Manager Leslie Grillo provided a three year overview of office revenue and expense as well as profit/loss over the same period. The budget proposal for 2017 included two categories: consideration of a flat rate for mileage of \$500 per quarter for all inspectors and moving the construction office to the basement to gain needed space for staff, files and customers. A layout for the proposed was provided as was an estimate of renovation costs. Questions from the Committee included the current agreement with East Amwell—current terms and probable extension—and issues concerning copier, mail and bathrooms, which will require an outside route to access. A curb cut will be needed to provide handicap access from the parking space on the lower level. The current concrete floor and open ceiling will remain.

OEM Director Harry Heller advised that the Township has received FEMA grants or revenue amounting to \$99,000 over the past three years. In addition, there will be \$42,000 for the firehouse generator. His only request was for computer software, specifically Microsoft Office Suite. Although advised by the CFO that there is currently \$1400 in an old grant account, Mr. Heller did not favor using it for this purpose preferring to keeping it for a 'just in case' emergency situation. Mr. Rich suggested that Mr. Heller work with Dave Beaumont on the software and that the money issue will be figured out.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

This agenda item was re-opened to allow Corporal Sellner to address the Committee. Corporal Sellner advised of concerns regarding the payroll company; reported that the company messed up on the retirement withholding by not marking it properly; and, then changing the withholding without giving notice. This resulted in insufficient withholding on the pension; the need for a corrected W2; and, refiling due to the error. This is the first time in his 15 year career that he's owned money to the State. Corporal Sellner also advised that he will be discontinuing his health benefits as he will be covered under his wife's plan at the State.

As there was a payroll discussion listed later on the agenda, the item was brought forward at this time. CFO Carro was asked to come to the table for the discussion. A very lengthy exchange followed that focused on where the responsibility for the various problems encountered should be placed; what the normal deductions are for New Jersey municipal employees; and, the payroll process. It was agreed that quotes from three different companies be solicited and that a letter of inquiry as to the occurrences be sent to the payroll company. Mayor Dale requested that the letter be prepared by the Clerk and CFO.

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Introduction: 2017 Budget – Mayor Dale overviewed this year's budget process noting that what is being introduced is the third version of the document and adds one cent to the tax rate. He has reviewed the document as has the finance committee and the Clerk. Hal Shute and CFO Carro came forward. Mr. Carro advised that there was \$500,000 in surplus and that \$263,000 is being used for this budget and that surplus at the end of the year should be around \$425,000. As far as appropriations, these have been reviewed; there's not much to cut; and expenditures are pretty stable. Revenues included a bit more from construction and included the anticipated rental money for the solar. There's not much revenue to the Township, which is something that needs to be found in order not to use surplus funds. The penny increase on the average home would be about \$40.00/year. Mr. Shute offered this budget stabilizes the amount of surplus utilized with the goal of gradually building it up. This is a good thing in that Moody's and investment houses like a stable surplus. Mr. Bergenfeld expressed concern that, as a municipality, we're living beyond our means by borrowing from the surplus and then commented on the \$340,000 that was borrowed due to the school issue a few years back. Mr. Carro explained that the deferred school tax was township money to begin with, although a non cash paper surplus. This wasn't accounted in the school merger thereby leaving us short. New sources of revenue will help. Mr. Rich offered that after discussions with the finance group and the mayor, he believes that we're about as lean as we get under the present system; there are no more one shot fixes; and, the township has a \$250,000 problem. A lengthy overview of his position on budgetary matters was provided as were concerns over a possible downturn in the economy and having the State as a business partner. He will agree to this budget but \$200,000 in cuts will be determined by the Township Committee, as that is their job, and options are few. His recommendation is to find \$100,000 in cuts by June 1st and another \$100,000 by October 1st that will be voted on. This, in his opinion, will set the stage for 2018 by getting into real priorities. Mr. Dale commented that this is intelligent fiscal management. Mr. Shute noted that although debt service is going to drop by \$200,000 next year, it doesn't help because the Township has been paying this out of the open space trust, which will be gone next year. The mayor inquired of Mr. Cally and Mr. Bergenfeld as to any other comments. None were forthcoming.

- Resolution for Self-Examination

RESOLUTION #55-2017

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 approved on motion by Cally, seconded by Bergenfeld. Roll Call: Dale-aye, Bergenfeld-aye, Cally-aye, Rich-aye

- Budget Resolution

RESOLUTION #53-2017
MUNICIPAL BUDGET NOTICE

Municipal Budget of the Township of West Amwell, County of Hunterdon for the Fiscal Year 2017

Be It Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2017;

Be It Further Resolved, that said Budget be published in the Hunterdon County Democrat in the issue of March 23, 2017

The Governing Body of the Township of West Amwell does hereby approve the following as the Budget for the year 2017:

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building, on the April 19, 2017 at 7:30 p.m. at which time and place objections to said Budget and Tax Resolution for 2017 may be presented by taxpayers or other interested persons.

SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET
General Appropriations For:

(a) Municipal Purposes	\$2,819,114.00
2. Appropriations excluded from "CAPS"	
(a) Municipal Purposes	767,640.00
3. Reserve for Uncollected Taxes	<u>220,000.00</u>
4. Total General Appropriations	3,806,754.00
5. Less: Anticipated Revenues Other Than Current Property Tax	<u>2,388,830.00</u>
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget	
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	<u>\$1,417,924.00</u>

Before moving forward to approve the budget resolution, Mr. Rich motioned "to pass this budget pending, and must be included, that this Board is required to find \$200,000 in expenditure cuts in lieu of using debt service/surplus annually, with the first \$100,000 of expenditure cuts by June 1st and October 1st for the second \$100,000, as to where those cuts are going to come from so to allow us to move forward with a financially solvent situation." Bergenfeld seconded by motion. Motion carried unanimously.

A motion on the budget resolution read previously read into the record was called.

Cally motioned to approve the Resolution and Bergenfeld seconded. Roll Call: Rich-aye, Cally-aye, Bergenfeld-aye, Dale-aye

Mr. Shute was requested to advise the finance committee of what has transpired and chartered for determination. Mr. Shute inquired whether the cuts were going to be enacted this year and was advised in the affirmative as the goal is to show the savings so they can be reflected in next year's budget. The budget itself is not going to be cut, just the spending aspect. Dave Beaumont also inquired about the implementation of the cuts. If the cuts can be implemented, they will be done immediately was the response.

STANDING COMMITTEE REPORTS

Open Space

- *Project Status Updates:* Hal Shute advised that **Holcombe** is inching closer to a closing noting a second amendment to the lease agreement. Appraisal numbers for **Runkle** have been received with a second set of appraisals due today. \$50,000 will be moved from the open space trust for the project. Mr. Shute also relayed that now that the Township is using **open space trust money for maintenance purposes**, a plan is required that identifies properties and what needs to be done. Mrs. Urbanski is working on developing said plan. Research on the issue of **deed recordings** found that there are over 100 recorded easements with similar issues. Although technically there is nothing wrong in how this was handled, a detailed map and property listing is being developed for adoption and will be shared with the land use boards and the construction office for their reference as well as posted. Mr. Bergenfeld added that boards and committees need to know so as to make this part of their checklists. Therefore, purchasing of these properties will be a 'buyer beware' situation.

Environmental

- *Approval to Post January 12, 2017 Minutes and Emerald Ash Borer Information to the Website:* Approved

- *Drought Toolkits to Test for Toilet Leaks/Permission to Display at Municipal Building:* Mrs. Urbanski was unable to attend this evening but requested that the Clerk relay that toilet testing tablets have been received from the DEP and that she would like for them, and the flyer, to be placed on the table in the lobby. Approved

Finance

- *Authorization to Post February 13, 2017 Minutes to the Website:* Approved.

UNFINISHED BUSINESS

Possible Appointments - none

Updates – 1) No comment on status of **construction clearance**. 2) Attorney Faherty advised that he's done a little research into an easement by implication for the **Block 23 Lot 12** well situation. As this lot is not developable, much depends on what the Township Committee wants to do with that lot before he proceeds further. He relayed again that Mr. Helleva is under the

harmless agreement; and, be responsible for maintenance and potential liability. If that is not a reasonable solution, further research into an easement by implication can be made prior to a decision to cut off the well. There is plenty of room for a well on Mr. Helleva's property. A provision whereby once the property is sold or the current owner passes away that a new well is required is an option as is offering the lot for sale to adjoining neighbors. Attorney Faherty relayed that part of the referenced law deals with the fact that even foreclosure can give rise to an implied easement. The idea of requiring rental for the use of the water was briefly discussed with the possibly this being \$100/year and nontransferable. 3) The JCP&L connection for the **fire house generator** scheduled for March 16th has been re-scheduled for March 23rd due to the snow storm. Harry Heller advised that there are currently 100 people around Mt. Airy with no power. 4) A letter has been sent to Mr. Warford advising of a 45 day decision response on **Block 46 Lots, 5, 6, 7**. 5) A Certificate of Completion and a Certificate of Approval have been received for the **solar installation** for the municipal building. A NJ SRP acceptance letter/compliant for the solar PV project at the high school, and a SRP registration number, is also now on file. 6) A quote for the replacement of the **water heater** that serves the police department and kitchen was received. Mr. Bergenfeld explained that currently there are two units that work in tandem and what would be involved as to venting. Of the two quotes offered by Davis Plumbing, Mr. Bergenfeld advised that the 75 gallon power vent water heater at \$2700.00 with its 90% efficiency would be the better approach. *Motion by Bergenfeld for the 75 gallon power vent water heater was seconded by Cally and approved unanimously.* In addition, an inquiry as to a \$500.00 clean energy rebate will be made.

Discussion Concerning Payroll Company – Discussion held earlier in the evening.

Possible Quote Concerning Condition of Existing Electrical System – A response was supposed have been received by the end of the week after the last township meeting but there's been no further word. Mr. Rich to inquire about this possibly being done for free. Item held.

Recorded meetings, E-mail storage, continued discussion – The mayor explained that there's no requirement by law to record meetings and noted liability issues with meeting tapes. The public, however, is free to do both audio and videotaping. Meeting recordings must be kept 80 days after approval of the minutes, although those of the Planning and Zoning Boards must be retained for a full year. He requested that the other Committeemen think the matter over for a decision at the next meeting.

Communications Outreach Committee/Status Report – Heidi Tomenchok reported that the group recently met and came up with a 5 step plan for this project. These include 1) developing communications and purpose of website with rules and polices; 2) receiving answers to a number of questions concerning the contract and hosting of the website, such as what is being paid for, what can be done, and whether this is advantageous or not; 3) determining how to get people to sign up and, once parameters are in place, recruiting committee chairs to share in the outreach as well as making this information known through notices in the municipal building, depot and tax bills; 4) developing a list of bulk approved items by mid-April; and, 5) targeting the water testing in May as a date to begin. Mrs. Tomenchok noted that there is currently a listing of approximately 100 e-mail addresses accumulated on the website but knowing exactly what is there is difficult and, that even going forward, keeping it current will be a task. Mr. Beaumont added that information such as who has the right to update the website information; what the limitations are on e-mails; and, the list serve capability are questions to be answered.

NEW BUSINESS

Appointment Resolutions

- *Substitute Electrical Inspector.*

RESOLUTION #54-2017

WHEREAS, the Township of West Amwell is in need of a substitute Electrical Inspector; and,

WHEREAS, Construction Official Rose has recommended that the Keith Steele be appointed as substitute Electrical Inspector for 2017

WHEREAS, Mr. Steele has the necessary license for this position

THEREFORE, BE IT RESOLVED that the foregoing individual be appointed as recommended effective March 9, 2017

The Resolution was unanimously approved on motion by Cally, seconded by Rich.
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- *Certified Recycling Coordinator:* Alan Dilley of Franklin Township has once again agreed to provide his services for the submission of the annual recycling report...for free.

RESOLUTION #55-2017

WHEREAS, the submission of the annual recycling tonnage report requires that this be accomplished by a Certified Recycling Coordinator; and

WHEREAS, Alan Dilley of Franklin Township is a licensed CRC and is willing to submit the tonnage report on behalf of West Amwell Township, at no charge

THEREFORE, BE IT RESOLVED by the West Amwell Township Committee that Alan Dilley be authorized to submit the 2016 tonnage report

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

Proposed Construction Office Move – Discussion was held earlier in the evening.

Quote for 2017 Vehicle Maintenance/Resolution of Award – Three quotes have been received and Corporal Sellner came forward for this discussion. He reviewed the choices, noting a desire to keep this local with established relationships due to the quality of work performed. Problems with the other two establishments were relayed. The aging status of the current fleet was noted. Mr. Rich advised that Delaware Township has a full time person on staff for vehicle maintenance and suggested that the mayor reach out for a possible shared service. The use of Amwell Auto for maintenance will continue for now. Item held pending exploration of the suggested direction.

Resolution Honoring 50 Years of Service – Harry Heller requested this for the upcoming squad banquet. The mayor will attend.

RESOLUTION #56-2017

PROCLAMATION

In Honor & Recognition of 50 Years of Service

WHEREAS, David (Dave) K. Burd commenced his community service journey while still in South Hunterdon Regional High School by joining the Youth Squad of the Lambertville Rescue Squad in 1963; and

WHEREAS, Dave's service to the Squad increased in 1967 when he joined the senior ranks thereby achieving full membership; and,

WHEREAS, Dave held the position of chief from 1980 to 1982 as well as various other line and staff offices, including lieutenant from 1977 to 1979 and president in 1983, during his tenure with the Squad; and,

WHEREAS, Dave has devoted many years as Director of the Youth Squad program, a role that garnered several State Champion first aid competition teams; and,

WHEREAS, Dave has long been recognized for his leadership skills, evidenced by his chairmanship of the Building Fund Drive for the current facility on Alexander Avenue, the Crash Truck Committee in 1982 that organized a fund raising event that in one weekend earned \$80,000 to pay for said truck, the computerization of the Squad's fund raising program in 1982, as well as spearheading the drive for a 'daytime crew' that resulted in the Squad's first paid staff in 1985; and,

WHEREAS, during his many years with the Squad, Dave's commitment to helping his fellow man led to several major advancements in patient care, including improved cardiac patient care through the implementation of EKGs in the ambulances and training in the evaluation of the strips; the introduction of medical evacuation helicopter service to the region in association with the Lehigh Valley Medical Center; and, bringing enhanced medical care to the New Hope area through a partnership with Central Bucks Ambulance for Advanced Life Support services; and,

WHEREAS, Dave's community spirit extended beyond service to the Squad to involvement with, and chairmanship of, the task force that evaluated and supported needed capital improvements at South Hunterdon High School; and,

WHEREAS, for eighteen years Dave has held the position of Emergency Management Coordinator for the City of Lambertville, a role specifically designed to provide assistance to local emergency responders in obtaining resources outside those of the local community; and,

WHEREAS, Dave has also given service to his church, holding the position of deacon with the First Presbyterian Church in Lambertville and providing sponsorship of the Trinity Youth Group for the Trinity Church in Solebury; and,

WHEREAS, Dave together with wife Sharon, have raised two daughters who are both either directly or indirectly involved in the medical field, a tribute to their parent's involvement with this industry and its influence on their lives; and,

WHEREAS, Dave accomplished all of the above and more while employed with the Public Service and Gas Company in a career spanning 36 years.

NOW BE IT PROCLAIMED, that David K. Burd is hereby honored for 50 years of dedicated service and duly recognized for his many accomplishments; and,

BE IT FURTHER PROCLAIMED, that the West Amwell Township Committee, on behalf of its residents, extends its appreciation to David K. Burd for the many hours devoted to what can only be described as a labor of love for his community and service to his fellow citizens.

John Dale

Stephen Bergenfeld

JOHN DALE

STEPHEN BERGENFELD

Mayor

Deputy Mayor

James Cally

Gary Hoyer

Zach Rich

JAMES CALLY

GARY HOYER

ZACH RICH

Committeeman

Committeeman

Committeeman

ATTEST:

Lora L. Olsen

Lora L. Olsen, RMC
Township Clerk

The Resolution/Proclamation was unanimously approved on motion by Dale, seconded by Cally.

OPEN TO THE PUBLIC

Mr. Beaumont spoke to the recording of meetings topic offering that he'd be slightly inclined to continue the practice, if only for the purposes of transparency. Recognition and appreciation was extended to the Clerk as the minutes produced are excellent, capturing all the essential information that you need to know, and always something there about discussions. This is opposed to those of the high school where it is difficult to know what's going on. Mr. Beaumont proceeded to speak about the preliminary school budget whereby the operating budget is going up by \$737,000; the tax levy in support up 2%; and, acquisition of another 2+ percent of state aid, which is mostly through the Choice program. However, these revenues only make up about half of the operating budget and an explanation of where the other \$375,000 is coming from needs to be questioned at the public hearing. They should also be prepared to discuss electrical savings; the public relations staff position; and, how much is budgeted for the latter. Mr. Beaumont also mentioned the upcoming school facility discussions and the focus on transparency. The Choice program was questioned by Mr. Bergenfeld as to how much it brings to the district versus the cost of the students, especially if special needs are involved, and if this program is really a benefit to the community financially.

ADMINISTRATIVE REPORTS

Treasurer –

Presentation of Bills for Approval:

RESOLUTION #57-2017

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 \$1,959,754.07, dated March 15, 2017, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations. An addendum to the above in the amount of \$200.00 for window tinting on police vehicles was provided.

Rich motioned to approve the evening's bills and addendum for payment. Motion seconded by Bergenfeld and carried unanimously.

Construction – The Permit Fee Log Summary for February 2017 reflect the issuance of 19 permits for a total of \$4,898.00 for West Amwell. Twenty seven (27) CA's and one (1) CO were processed per the Certificate Log Summary. The Permit Fee Log Summary for East Amwell reported 10 permits issued and \$2,632.00 collected. Twelve (12) CA's and one (1) CO were processed according to the Certificate Log Summary on PermitsNJ. An additional twenty six (26) CA's and four (4) CO's were processed on the older system.

Court – The February 2017 monthly report was received showing a ticket total of 212 (143 local) and the receipt of \$5,229.64.

Police – The February 2017 Monthly Report showing 936 incidents, 123 summonses and one warning was received. Thirty seven summonses were issued in conjunction with the shared service with East Amwell.

Website Review – No comments received

The reports were accepted, without 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 10:30 p.m. on motion from Cally.

Respectfully submitted,

Lora Olsen, RMC
Township Clerk

APPROVED: April 5, 2016