

WEST AMWELL TOWNSHIP COMMITTEE MEETING

March 20, 2019 - 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 Zachary T. Rich, Committeemen Stephen Bergenfeld, James Cally and John Dale along with Township Clerk Maria Andrews and Attorney Philip J. Faherty, III.

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 Clerk's Office Will be Closed on 3/29/19 from 8:30 AM – 1:00 PM (*Training*)
- 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 3/6/19 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. Dave Beaumont of 205 Rock Road West came forward and provided the following school budget highlights:

1. The budget is \$695,000 less than the current year
2. There is a 475,000 tax levy increase
3. There is a 2% operational increase
4. West Amwell's portion of the tax is slightly higher because of enrollment
5. Ratables went up which will equate to about a \$180.00 increase per household

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

Introduction: 2019 Municipal Budget/Budget Resolution #57-2019

Mayor Rich commented the Finance Committee will be reviewing the proposed budget at their meeting on 3/25/19 and will talk to CFO Carro if any issues are raised. He noted the budget is scheduled for adoption at the 4/17/19 Township Committee meeting.

West Amwell Township County of Hunterdon
State of New Jersey - Resolution #57-2019

WHEREAS, the Township of West Amwell is holding a meeting on March 20, 2019, for the purpose of introducing the 2019 Municipal Budget and conducting other matters; and

NOW, THEREFORE BE IT RESOLVED by the Township of West Amwell of the County of Hunterdon, State of New Jersey, that the Township of West Amwell hereby petitions the Director of the Division of Local Government Services that the 2019 Local Municipal Budget be introduced and approved on March 20, 2019.

Summary of Revenues		2019
1. Surplus	\$	150,000
2. Total Miscellaneous Revenue		1,721,401
3. Receipts from Delinquent Taxes		179,000
4. Local Taxes for Municipal Purposes		1,610,070
Total General Revenues		3,660,471

Summary of Appropriations		2019
1. Operating Expenses: Salary & Wages	\$	1,475,843
Other Expenses		1,187,740
2. Deferred Charges & Statutory Expenditures		332,571
3. Capital Improvements		10,000
4. Debt Service		424,317
5. Reserve for Uncollected Taxes		230,000
Total General Appropriations		3,660,471

Motion: Cally

Second: Bergenfeld

Roll Call Vote: Bergenfeld, Cally, Dale, Rich

Date: March 20, 2019

I, Maria Andrews, Township Clerk of West Amwell Township, hereby certify the foregoing to be a true and accurate copy of a Resolution adopted by the West Amwell Township Governing Body at their regular meeting held on March 20, 2019.

Witness my hand and the SEAL of West Amwell Township.

Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Bergenfeld to introduce the 2019 Municipal Budget and approve Resolution #57-2019 was unanimously approved by roll call vote.

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

It was noted the public hearing on the budget is set for 4/17/19.

Introduction: 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

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

ATTEST:

Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Bergenfeld to introduce Ordinance 5, 2019 upon first reading was unanimously approved by roll call vote.

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

It was noted for the record that the public hearing on Ordinance 5, 2019 was set for 4/17/19.

Introduction: Ordinance 6, 2019 – AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

Mayor Rich read Ordinance 6, 2019 by title.

WEST AMWELL TOWNSHIP
Public Notice
Ordinance 06, 2019

SECTION 1

The following shall be the rate and ranges of compensation for the following officials and employees of the township for the year 2019.

Mayor	\$3617.00
Township Committee	\$3033.00
Township Clerk	\$55,400.00 - \$80,000.00
Plus \$35.00/hr. for special & emergency meetings	
Registrar of Vital Statistics	\$2,500.00 - \$3,500.00
Administrative Assistant	\$5,000.00 - \$65,000.00
Deputy Township Clerk	\$22,970.00 - \$37,000.00
Deputy Registrar of Vital Statistics.....	\$2,500.00 - \$3,500.00
Escrow Clerk	\$2,500.00 - \$4,500.00
Assessor	\$27,496.00 - \$40,000.00
Qualified Purchasing Agent	\$3,000.00 - \$5,000.00
Chief Financial Officer/Treasurer.....	\$27,607.00 - \$40,000.00
Certifying Officer for Pensions	\$1,105.00 - \$2,150.00
Assistant Treasurer	\$10,000.00 - \$16,000.00
Payroll Clerk	\$3,250.00 - \$5,500.00
Planning Board Secretary	\$12,000.00 - \$18,000.00
Plus \$200.00 per additional meeting over 12/year	
Deputy Planning Board Secretary	\$200.00/meeting
Board of Adjustment Secretary	\$7,500.00 - \$12,000.00
Plus \$200.00 each for special meetings	
Deputy Board of Adjustment Secretary	\$200.00/meeting
Board of Health Secretary	\$2,500.00 - \$4,500.00

Plus \$35.00/hr. for special & emergency meetings	
Dog Registrar	\$2,500.00 - \$4,500.00
Dog Census Takers	\$500.00 per district plus \$325.00 mileage per district
Judge	\$11,500.00 - \$17,000.00
Court Administrator	\$35,300.00 - \$56,250.00
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)	\$9,000.00 - \$30,000.00
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	\$5,000.00 - \$9,500.00
Municipal Housing Liaison/AA	\$4,500.00 - \$7,500.00
Assistant Collector of Taxes	\$3,500.00 - \$10,000.00
General Office Secretary/Clerk	\$12.50 - \$18.00/hr
Rabies Clinic – Secretarial	\$25.00 - \$35.00/hr per person
Open Space Secretary	\$13.50 - \$20.00/hr
Municipal Bldg. Custodian	\$250.00/month
Building Custodian (Police)	\$10.75 – 19.00/hr
Waste Security Officer	\$13.25 - \$19.00/hr
Assistant Waste Security Officer.....	\$10.75 - \$18.00/hr
Waste Security Laborer	\$10.75 - \$18.00/hr
Substitute Waste Security Laborers	\$10.75 - \$18.00/hr
Violations Clerk	\$18.50 - \$30.00/hr
Court Security Officer.....	\$150.00 per court session
Substitute MCO	\$30.00 - \$45.00/hr
Substitute Sub-Code Officials & Inspectors	\$29.50 - \$40.00/hr
Construction/Zoning Office Assistant	\$15.00 - \$25.00/hr
Construction/Zoning Office Manager.....	\$25,000.00 - \$55,000.00
Substitute T.A. – Construction/Zoning Office.....	\$15.00 - \$22.00/hr
DPW Coordinator	\$25.00 - \$35.00/hr
Director of P.W. & Roads	\$24.50 - \$45.00/hr
Road Foreman	\$20.95 - \$30.00/hr
Road Class A (10 or more years of service)	\$19.00 - \$27.00/hr
Road Class B (5-10 years of service)	\$18.00 - \$25.00/hr
Road Class C (Less than 5 years of service)	\$18.00 - \$23.00/hr
Road Laborer	\$10.50 - \$18.00/hr
Temporary Laborer	\$12.50 - \$18.00./hr
Summer DPW Workers	\$10.00 - \$15.00/hr
Police Administrative Secretary	\$15.00 - \$25.00/hr
Substitute Police Secretary	\$15.00 - \$20.00/hr
Part-time Officers	\$25.00 - \$35.00/hr
Part-time Officers Spec Duty	\$25.00 - \$35.00/hr
Police Matrons	\$15.00 - \$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.

APPROVED BY TOWNSHIP COMMITTEE

Zachary T. Rich, Mayor

ATTEST:

Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Dale to introduce Ordinance 6, 2019 upon first reading was unanimously approved by roll call vote.

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

It was noted for the record that the public hearing on Ordinance 6, 2019 was set for 4/17/19.

Public Hearing: Ordinance 3, 2019 – AN ORDINANCE AUTHORIZING A SPECIAL ASSESSMENT FOR THE AMWELL DAM #1 RESTORATION IN THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

Mayor Rich read Ordinance 3, 2019 by title.

ORDINANCE 3, 2019

WHEREAS, under the New Jersey Dam Restoration and Inland Waters Project Loan Program, N.J.A.C. 7:24A-1 *et seq.*, a loan from the State of New Jersey (“State”) in the principal amount of \$278,450.81 to finance the cost of the dam restoration of the Amwell Dam #1 became available; and

WHEREAS, the Lower Lakes Steering Group, LLC (“Group”) entered into a loan agreement with the State of New Jersey; and

WHEREAS, the “Group” requested that the Township of West Amwell (“Township”) act as co-borrower for a loan to the “Group” under the New Jersey Dam Restoration and Inland Waters Project Loan Program in the amount of \$278,450.81; and

WHEREAS, it was a requirement of the State of New Jersey that the municipality wherein the project was taking place must act as co-borrower for said loan; and

WHEREAS, the “Group” has authorized the “Township” to adopt a Special Assessment Ordinance in an amount sufficient to cover the aforesaid loan from the State, and upon completion of this project to the satisfaction of the State of New Jersey Department of Environmental Protection, to certify the costs for the confirmation of the assessment and proceed to affirm the assessment; and

WHEREAS, State law authorizes the “Township” to assess the amount of the principal, interest, and costs for the loan against the real property benefited by the loan together with interest and penalties; and

WHEREAS, State law authorizes the collection of the assessment in the same manner as assessments for local improvements.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of West Amwell in the County of Hunterdon, State of New Jersey as follows:

1. The full cost of the principal, interest and any associated costs, fees or penalties, expended to complete the repair of Amwell Dam #1 to the satisfaction of the State of New Jersey Department of Environmental Protection together with all costs associated with establishing and enforcing the assessment shall be assessed against properties listed in Schedule “A” attached hereto.
2. The procedure for making and collecting assessment shall be as provided under N.J.S.A. 40:56-1 *et seq.* and N.J.S.A. 40:49-6.
3. The Township Tax Assessor shall be responsible for making assessment.
4. The Township will not contribute to the payment of any part of the costs of this local improvement.
5. The assessment shall constitute a first and paramount lien as provided for by N.J.S.A. 40:56-33.
6. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder of any portion thereof.
7. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
8. This ordinance shall take effect immediately after final passage and publication as provided by law.

BY ORDER OF THE TOWNSHIP
COMMITTEE

Zachary T. Rich, Mayor

ATTEST:

Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Bergenfeld to open the floor to public comment on Ordinance 3, 2019 was unanimously approved by roll call vote.

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

Attorney Faherty commented that he is not disputing Mr. Foran and Mr. Spitler have complied with the agreement and paid their portion of the loan, but stated that has nothing to do with those individuals and the township. He clarified the Township has not released anyone from anything. Mr. Cally commented that he believes the only way for the property owners to be released from the LLC would be to dissolve the original LLC and form a different one under a new name.

Attorney Faherty stated his recommendation is to adopt Ordinance 3, 2019 and not impose any special assessment until it is necessary to do so. He remarked the ordinance simply allows the Township to recoup whatever may have to be paid out and if it's adopted, the assessments can be implemented as soon as the loan goes into default again.

A motion by Cally, seconded by Bergenfeld to adopt Ordinance 3, 3019 upon said introduction, consideration and now final reading was unanimously approved by roll call vote.

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

STANDING COMMITTEE REPORTS

Open Space – Mr. Shute provided the Committee with an update on the CADB meeting he attended this morning. He noted they have a grant program where municipalities collect an open space tax and they return 15% in the form of a grant. Mr. Shute explained that this year CADB rejected West Amwell's application because the Township had already closed on the Runkle project and didn't incur any debt. He clarified that if the Township doesn't borrow to cover the preservation, the County won't accept the application. Mr. Shute commented he is looking for \$45,000 from the County Open Space fund which is essentially West Amwell's money. He stated he was going to reach out for more information on the matter but wanted to make the Township aware of the situation.

Environmental – No report was given.

Aq Advisory – No report was given.

Finance Committee – No report was given.

UNFINISHED BUSINESS

Re-location of Police HQ to Municipal Building Basement

Mr. Bergenfeld commented that the project is moving along.

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 explained Onyx has hired Attorney Brian Schwartz to determine what is needed to finalize the transfer from Onyx to Janus Solar. It was noted for the record that this matter will be carried to the Committee's 4/3/19 agenda as there is no further update at this time.

NEW BUSINESS/OTHER

Resolution: #58-2019: SHRHS Band 50/50 Raffle

RESOLUTION #58-2019

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:	South Hunterdon Regional Band Parents Association
BENEFIT:	To support band activities, band camp, competitions, trips, etc.
DATE:	May 21, 2019
TIME:	8:00 PM
LOCATION:	West Amwell School 301 Mt. Airy-Harbourton Road, Lambertville NJ 08530

I hereby certify this to be a true copy of a Resolution expected to be adopted by the West Amwell Township Committee at their meeting held on March 20, 2019.

Maria Andrews, Township Clerk, RMC

A motion by Bergenfeld, seconded by Dale to approve Resolution #58-2019 was unanimously approved by roll call vote.

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

Acknowledgment: Letter of Resignation Rec'd from K. Parsons/Authorization to Post Job

Mayor Rich acknowledged Police Secretary Parsons' letter and thanked her for her 6 years of dedicated service. The Committee agreed the job should be internally posted for 2 weeks and also put on the Township website. It was noted they would like to make an appointment at the 4/17/19 meeting for a new Police Secretary.

With regard to Ms. Parsons' request to retain her Police Matron position, Mr. Bergenfeld commented that he had spoken to AOIC Skillman about utilizing female officers from surrounding agencies should the need for a Police Matron arise. The Committee believed this to be a good option and noted Ms. Parsons' will likely be too busy with her new job to have to worry about this position and they expressed well wishes as she pursues her new career.

Discussion: Appointments to Historic Preservation – Betty Jane Hunt/Planning Board

Mayor Rich appointed Betty Jane Hunt to the Historic Commission and noted with the change in Zoning Official staff, the Class II position on the Planning Board now needs to be filled. The suggestion was made to appoint Clerk Andrews to the position since she is already servicing as the Board's Secretary. Attorney Faherty noted he would research the matter to determine whether or not there were any conflicts.

A suggestion was also made to consider the Construction Official for the Class II position but this was not discussed any further.

Discussion: Request from AOIC Skillman, re: Patrol Unit 26-15 to be Given to DPW

It was the consensus of the Committee to support AOIC Skillman's request and give Patrol Unit 26-15 to the DPW noting with the additional new road crew members they need the vehicle. Mayor Rich also noted that the light bar from the vehicle will be donated to the Fire Company.

Discussion: Police Shared Services with East Amwell

Mayor Rich requested this matter be carried to the Committee's 4/3/19 agenda.

Discussion: Medical Reimbursement Stipend vs. State Dental Plan Coverage

The Committee reviewed the costs associated with the current stipend reimbursement policy vs. the costs to establish the State Dental Plan coverage. The Committee expressed support for the significant cost savings to provide dental coverage and believed the State Plan was a better benefit to the employees than the stipend. Several committee members commented that managing the stipend payouts is not something the township should be doing and believed all health insurance should be managed through the State plans.

The consensus of the Committee was to discontinue the stipend payout at the end of this year and provide State dental insurance coverage starting January 2020. Mayor Rich asked Clerk Andrews to send all eligible staff members a memo advising of the change and letting them know they have until the end of this year (*December 2019*) to use any carried over stipend funding. It was noted that any requests for non-covered medical procedures must be accompanied with the proper paperwork showing proof of payment and a copy of the billing statement/insurance claim.

Discussion: Policy Clarification – Sick/Vacation/Personal Days for Part Time Employees

It was noted for the record that a part time employee has requested a payout for unused vacation time and the language in the policy is not clear on how this time should be calculated because the policy designates "days in the office" not "hours" and for this employee the hours in the office do not total one full working day.

It was noted that however the policy is interpreted it must be consistent for all part time employees. Mayor Rich asked Construction Office Manager Gail Brewi who was present at the meeting to inquire with surrounding municipalities on what their policy is for time off as it relates to part time employees.

The Committee requested Clerk Andrews reach out to the employee requesting the payout and seek clarification on how many days off were requested over the past year and who authorized them.

It was noted that this matter will be listed on the Committee's 4/3/19 agenda for a status update.

OTHER

Resolution #59-2019: Closed Session – Personnel/Contracts – Litigation/Affordable Housing

A motion by Bergenfeld, seconded by Dale to approve Resolution #59-2019 to enter into Closed Session was unanimously approved by roll call vote.

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

Resolution #59-2019

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.

A motion by Bergenfeld, seconded by Cally to return to open session was unanimously approved by roll call vote.

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

The Committee was in Closed Session from 9:00 PM – 9:44 PM.

ADMINISTRATIVE

Treasurer: Bill List 3/20/19

Mr. Bergenfeld questioned the Kaye Hydronics check noting it cannot be correct because the amount is too high. Upon review of the invoice it appeared the total quote for the job and the 50% deposit were added together by mistake. The check should have only been issued for the 50% deposit. The Committee requested this voucher and check be pulled from the bill list.

A motion by Cally, seconded by Bergenfeld to approve the vouchers for payment as listed on the bill list, with the exception of the Kaye Hydronics voucher, was unanimously approved by roll call vote.

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

CORRESPONDENCE

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

Minutes – 3/20/19

ADJOURNMENT

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

The meeting adjourned at 10:05 PM.

Maria Andrews, Township Clerk, RMC

Approved: 4/3/19