

WEST AMWELL TOWNSHIP COMMITTEE MEETING

November 21, 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 there were no changes to the posted agenda.

ANNOUNCEMENTS

- Township Offices are Closed November 22nd & 23rd – Thanksgiving Holiday
- 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 Dale, seconded by Cally to approve the Township Committee's 11/7/18 Regular Session minutes with no revisions noted was unanimously approved by voice vote.

A motion by Cally, seconded by Hoyer to approve the Township Committee's 11/7/18 Closed Session minutes with no revisions noted was unanimously approved by voice vote.

OPEN TO THE PUBLIC/TOPICS NOT ON THE AGENDA

Mayor Bergenfeld opened the floor to public comment. John Cronic came forward as a member of the Open Space Committee to discuss the Township's recognized hunting properties and asked that club members be allowed to take their ATV's on the properties to retrieve harvested deer. He noted they will follow the specific property lines and be respectful of the hay fields. Mayor Bergenfeld expressed insurance concerns as well as potential ruts and land disturbance if ATV's are utilized in wet weather. Mr. Cronic suggested insurance requirements and speed limits can be added to the hunt club rules and reviewed annually. It was noted for the record that the Committee expressed support for hunters being able to use ATV's to retrieve deer rather than dragging the harvested animals out.

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 approved by voice vote.

SPECIAL PRESENTATIONS

Reports by Department Heads

It was noted for the record that no reports were presented.

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

It was noted for the record that no ordinances were listed on the agenda for action.

STANDING COMMITTEE REPORTS

Open Space – Mr. Cronic wished everyone a Happy Thanksgiving and expressed appreciation for the Township Committee's support on the Runkle preservation. He noted Mr. Shute, with his historic knowledge, was instrumental in facilitating the agreement.

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

Mayor Bergenfeld commented that the Fire Subcode Official has indicated the architect classified the uses of the building incorrectly and the fire proof paint may not be needed. He stated once this is confirmed the paint will be shipped back.

Rock Road West Traffic Study

Acting Clerk Andrews commented Engineer Burr is still working on his report but is aware the Committee expects to have it for their 12/5/18 meeting.

Police Lieutenant Position – Status Update

Mr. Rich noted the Chief's Association has indicated February 26, 2019 is available for the oral exam to be conducted with the 2 eligible candidates. Mr. Cally asked if all of the study materials have been received. Attorney Faherty remarked AOIC Skillman had indicated he ordered what was needed.

NEW BUSINESS/OTHER

Discussion: Mortgage Subordination – Block 21 Lot 36

Attorney Faherty explained the property owner is in the process of getting a release to the first mortgage which was tied to a recent minor subdivision and newly installed septic system. He noted the request to subordinate the mortgage will result in the Township staying in its current "second place."

Discussion: Approval of SHREC Lease Agreements

Attorney Faherty explained the company originally involved in the solar lease agreement has sold to Onyx Enterprises, LLC and they are requesting the Township sign off on the "Fourth Amendment to the facility Site Lease Agreement" naming Janus Solar Fund L.P. c/o Onyx Asset Services Group, LLC the Lessee. Mr. Cally asked if the SHREC rates can be negotiated and suggested a representative from the company come to the next Township Committee meeting to discuss the issue. Attorney Faherty stated he would reach out to Onyx and invite them to attend the 12/5/18 meeting.

Acknowledgement: Resignation of P. Williamson

It was noted for the record that the Committee accepted Ms. Williamson's resignation from the Construction Department.

Resolution: #115-2018: Authorizing the Sale of Dump Truck

WEST AMWELL TOWNSHIP RESOLUTION #115-2018

WHEREAS, the West Amwell Township Committee authorized the sale of the Township's 2001 International 4900 single axle dump truck to the highest bidder; and

WHEREAS, said advertising notice was placed in the Hunterdon County Democrat on 11/8/18 with requests for best offer to be received by 11/15/18; and

WHEREAS, the advertisement resulted in one offer received from Sweet Valley Farms in the amount of \$3,000.00,

THEREFORE BE IT RESOLVED, by the West Amwell Township Committee that the offer received from Sweet Valley Farms in the amount of \$3,000.00 for the 2001 International 4900 single axle dump truck is hereby accepted,

BE IT FURTHER RESOLVED, that the purchaser make payment to West Amwell Township in the amount of \$3,000.00 cash or certified check within 10 days of notification of this award.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at their meeting on November 17, 2018.

Maria Andrews, Acting Township Clerk

A motion by Dale, seconded by Hoyer to approve Resolution #115-2018 was unanimously approved by roll call vote.

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

Acknowledgement: BMP Worksheets – 2018/2019

Acting Clerk Andrews explained the BMP worksheets had been provided by CFO Tom Carro who noted there is no change in state aid.

A motion by Hoyer, seconded by Cally acknowledging receipt and review of the BPM worksheets was unanimously approved by roll call vote.

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

OTHER

Resolution #116-2018: Closed Session – Personnel/Contracts – Litigation/Affordable Housing

Present for the discussion was Attorney Tara St. Angelo, Planning Board Chairman Rob Tomenchok and Open Space Committee Member Hal Shute.

A motion by Hoyer, seconded by Dale to approve Resolution #116-2018 to enter into Closed Session was unanimously approved by roll call vote.

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

Resolution #116-2018

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 Rich, seconded by Bergenfeld to return to open session was unanimously approved by roll call vote.

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

The Committee was in Closed Session from 7:53 PM – 8:20 PM.

It was noted for the record that Attorney St. Angelo will have a resolution prepared for approval at the Committee's 12/5/18 meeting regarding the proposed Affordable Housing Settlement Agreement.

ADMINISTRATIVE

Treasurer: Bill List 11/21/18

A motion by Rich, seconded by Hoyer to approve the vouchers for payment as listed on the bill list, with the exception of the invoice for the fire proof paint, was unanimously approved by roll call vote.

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

Tax Collector: Resolution #113-2018: Tax Refund – Block 30 Lot 2

RESOLUTION #113-2018

WHEREAS, there has been a duplicate payment for 2018, paid by Corelogic for Block 30, Lot 2 and Q0015; 701 Brunswick Pike, assessed to Leon Walters in the amount of \$6,012.13, and

WHEREAS, Corelogic has requested that this amount be refunded to them,

THEREFORE, BE IT RESOLVED that the Treasurer be authorized to prepare and that the Mayor, Treasurer and Clerk be authorized to sign a check in the amount of \$6,012.13 and that this check be mailed to:

Corelogic Tax Collection Services, LLC
PO Box 9236
Coppell TX 75019-9801

By Order Of the Township Committee

Stephen Bergenfeld, Mayor

A motion by Rich, seconded by Dale to approve Resolution #113-2018 was unanimously approved by roll call vote.

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

Tax Collector: Resolution #114-2018: Tax Sale Certificate – Block 23 Lot 16

RESOLUTION #114-2018

WHEREAS Tax Sale Certificate #201707 for Block 23, Lot 16 Q0303; 16 Woodsville Road assessed to Lang, Steven L was sold on October 12, 2017 to Ridgeback Ventures LLC, and

WHEREAS the amount of \$205.76 has been received from Evolution Title for the owner of the property for the redemption of this certificate #201707,

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 \$205.76 payable to:

Ridgeback Ventures LLC
PO Box 503
MT Freedom NJ 07970

By Order of the Township Committee

Stephen Bergenfeld, Mayor

A motion by Rich, seconded by Dale to approve Resolution #114-2018 was unanimously approved by roll call vote.

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

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

Mr. Rich referenced the spiral binders provided by Mr. Foran regarding the Amwell Dam #1 off of Queens Road. Acting Clerk Andrews explained Mr. Foran had provided the binders as background information on the dam and subsequent agreement regarding its construction and maintenance as one of the property owners in the original Lower Landing Steering Group, LLC has sold to a new landowner.

CORRESPONDENCE

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

ADJOURNMENT

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

The meeting adjourned at 8:41 PM.

Maria Andrews, Acting Municipal Clerk

Approved: 12/5/18