

# WEST AMWELL TOWNSHIP COMMITTEE MEETING

October 29, 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, Committeemen George A. Fisher and John Dale, Clerk Lora Olsen and Attorney Philip J. Faherty III. Also in attendance were Tom Molnar, Cathy Urbanski, Tom Allibone, Hal Shute and Liz Usmiani

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

Those assembled were led in the pledge to the nation's flag by new Committeeman John Dale.

## AGENDA REVIEW BY TOWNSHIP CLERK

The following items were added: 10.B. Letter from Rate Counsel (SHREC); 13.A. Note from CFO Carro concerning Public Assistance & Housing. 10.C. was deleted.

## ANNOUNCEMENTS

The following announcements were made:

- New Township Committeeman is John Dale
- County Clerk's Office Open for Early Voting – October 31<sup>st</sup> until 7 p.m.
- Daylight Savings Time Ends – Nov 3<sup>rd</sup>
- General Election – Municipal Building, Nov 5<sup>th</sup>, 6 a.m. to 8 p.m.
- Free Rabies Clinic – West Amwell Municipal Complex, Nov 9<sup>th</sup>, 1-3 p.m.
- Hunterdon County Hazardous Waste Collection – Nov 9<sup>th</sup>, Rt 12 Complex
- Municipal Offices Closed for Veterans Day – Nov 11<sup>th</sup>
- The Next Regular Township Committee Meeting – Nov 27<sup>th</sup>
- Municipal Offices Closed for Thanksgiving – Nov 28<sup>th</sup> & 29<sup>th</sup>
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

## PRESENTATION OF MINUTES

The following Regular and Closed Session minutes were unanimously approved on motion from Rich, seconded by Fisher.

September 25, 2013 Closed Session (*Potential Litigation*)

October 7, 2013 Regular Meeting

October 7, 2013 Closed Session (*Personnel; Potential Litigation*)

The Release of Closed Session Minutes was held.

## OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

No one came forward so this segment of the meeting was unanimously closed.

## SPECIAL PRESENTATION(S)

**HART** – Liz Usmiani, the Complete Streets Coordinator for HART, presented an overview of the Speed Sentry Report undertaken for Linvale-Harb. Road. The results were based on a 32-day period whereby data was collected via electronic signage. Two modes were employed—stealth (data collection) and display (base line reports). The posted speed limit on this roadway is 45 mph. The average speed came in at 40 mph, with a maximum speed recorded as 79 mph. Traffic volume for the period was 108,763 vehicles, with the highest readings (3908) recorded Monday-Friday. The highest percentage of speed violations was found to be between 6a.m.-7 a.m. The report contains various charts and graphs for the data obtained. Ms. Usmiani stated that there is not much of a speeding problem, although people's perception of speed is different. She suggested that that number and size of speed signs be increased. The report will also be shared with Captain Bartzak as the study was initiated at his request. Mayor Rich requested that this report also be shared with the County, as this is their road. Ms. Usmiani was also advised that the Committee is interested in having a similar study done for Rock/Corsalo and Alexaiken Creek Roads.

**Verizon/Opportunity New Jersey & Possible Resolution** – Tom Allibone relayed that Verizon is in the process of renewing its State-wide video franchise at the BPU and that he presented testimony in Trenton. Others who testified were in favor but they are the ‘haves’ in the FIOS situation and have seen an increase in revenues. Mr. Allibone expressed concern over the BPU’s approach and that the hearing had a narrow focus. The network that was to be built by 2010 has never been completed but this does not appear to be an issue to the BPU as the network, such as it is, exists. Verizon was granted a system-wide franchise but only 70 of the 352 towns received the build out, with no guarantee for all to receive. A brief history of Opportunity New Jersey, dating to 1992, was relayed whereby there would be a fiberized NJ by 2010 that would include 45 mb/sec internet and high definition video. Although a letter was sent to the BPU by then mayor Nancy Pallidino, no response was ever received nor have they addressed the issue raised. The current state of fiber in the Township is that it runs along routes 179, 579 and 29 but is only for high interoffice facilities or commercial applications, not the neighborhoods. The majority of the towns have not seen the benefits of Opportunity NJ although these improvements have been paid for over the ensuing years in phone bills. As the venture was initially sold as having economic benefits, Mr. Allibone would like West Amwell to experience this as well. In addition, a couple of South Jersey towns are getting FIOS due to Verizon’s failure to provide ‘safe and adequate’ service, which is seen to mean that Opportunity NJ is still open. A resolution has been developed in concert with Lou Neely of East Brunswick, who is interested in obtaining support from every NJ town for a network build-out. If support can be obtained from the towns, then a formal petition can be filed for a hearing with the BPU. Citizen awareness and participation is needed concerning this failure to comply with a built out network as New Jersey should have been the first in the nation in this regard. Mr. Allibone presented the following resolution for consideration and requested that, if adopted, it be sent to the Governor and e-mailed to [swf.comments@BPU.state.nj.us](mailto:swf.comments@BPU.state.nj.us), docket # CE13080756.

**RESOLUTION #155-2013**  
**RESOLUTION SUPPORTING**  
**FULL IMPLEMENTATION OF OPPORTUNITY NEW JERSEY BY VERIZON**

**WHEREAS**, Verizon New Jersey (“VNJ”) was required by State Statute in 1992, under “Opportunity New Jersey,” to upgrade 100% of the State of New Jersey with a fiber-optic service, capable of 45 Mbps upload and download speed to be completed by 2010; and

**WHEREAS**, VNJ publicly reported that broadband deployment and competition are “critical” and “essential” for economic growth in the State and rate increases were approved to fund same; and

**WHEREAS**, Verizon lobbied successfully The Legislature into changing New Jersey state statute in 1992, which allowed VNJ to raise rates multiple times, on all customers to fund the required construction project which are not complete; and

**WHEREAS**, In 1993, the NJ Board of Public Utilities granted ‘alternative regulation’, known as “PAR 1” based on VNJ’s expressed commitment to replace copper wiring, commonly referred to as the Public Switched Telephone Network (“PSTN”) (the state-based utility) with a fiber-optic wire that would “transform” the public networks. This would increase cable competition and attract very high speed internet service providers to the State of New Jersey; and

**WHEREAS**, Verizon FIOS cable franchise before the State BPU for renewal and filed state documents show Verizon New Jersey is planning to wire parts of 352 towns and has obligations to complete only 70 communities; and whereas there are 526 municipalities in their territory, leaving almost 1/3 of all communities with only the older copper wiring, under PSTN; and

**WHEREAS**, an estimated one third to one half of all residential and business customers may never be upgraded as only parts of communities have been completed, depriving customers of cable competition and choice of providers or any type of high-speed broadband internet access as Verizon New Jersey originally obligated by State Statute; and

**WHEREAS**, in 2012, the New Jersey Board of Public Utilities (NJBPU) issued two show cause Orders, requesting Verizon to explain why two towns in Cumberland County, Stow

Creek and Greenwich, were never properly upgraded as required by Opportunity New Jersey and because of service quality problems throughout the towns for basic telephone service; and

**WHEREAS**, in 2013, the NJBPU ordered VNJ to replace the failing copper wires in those two towns with fiber optics, but there has been no BPU discussion of the rest of the state; and

**WHEREAS**, Verizon Corporate has announced that Verizon New Jersey (and many other Verizon franchises) stopped expanding its networks and is planning to shut off the copper wired services in whole areas of New Jersey, thus causing a loss of business personal property tax in more communities as Verizon ceases to maintain the copper wires and not upgrade the current copper wires; and

**WHEREAS**, Verizon is already implementing this plan in Mantoloking, New Jersey where instead of repairing the wires after the Sandy storm, the company has been essentially forcing these customers to buy Verizon's wireless Voice Link, which can't handle basic data applications like fax or alarm circuits; and

**WHEREAS**, any decision on Renewal of the cable franchise by State BPU may result in 1/3 to 1/2 of state customers being put into "digital dead zones" because Verizon New Jersey is not "expanding" the number of cable communities which ride exclusively on the Verizon fiber optic telecommunications services that Verizon was to install under "Opportunity New Jersey" commitments;

**NOW, THEREFORE, BE IT RESOLVED** by the West Amwell Township Committee, West Amwell Township, Hunterdon County, State of New Jersey according to the following:

1. We wish our communities to enjoy economic growth, cable and broadband competition by bringing increased competition to our neighborhoods, providing our residents with more choices, lower prices, and high speed broadband.
2. We no longer want to be part of the "have nots" as we are entitled by New Jersey State Statute under "Opportunity New Jersey" to have a fiber optic service capable of 45 Mbps of symmetrical bandwidth – as well as a cable service capable of using all of the other advanced technologies currently on the market.
3. We therefore, pass this resolution to join with other New Jersey municipalities calling for the immediate enforcement of VNJ's obligations under "Opportunity New Jersey"

*The Resolution was unanimously adopted on motion by Fisher, seconded by Dale.*

#### **INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING**

**Public Hearing:** Ordinance 15, 2013 AN ORDINANCE TO AMEND ORDINANCE 1, 2013 TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY

Proof of publication was unavailable but the Committee chose to proceed. The ordinance has been posted and available to the public since its introduction at the September 25, 2013 Township Committee meeting. Mrs. Olsen requested that the special election pay be deleted. Mr. Rich read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was unanimously closed.

*The Ordinance was unanimously approved with the deletion on motion by Fisher, seconded by Rich.*

#### **Introduction:** Ordinance 16, 2013

The following ordinance was read by title and introduced on first reading:

AN ORDINANCE TO AMEND ORDINANCE 1, 2013 TO PROVIDE FOR AND DETERMINE  
THE RATE OF COMPENSATION OF OFFICIALS AND EMPLOYEES OF THE  
TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY

SECTION 1

The following shall be the rate and ranges of compensation for officials and employees of the township for the year 2013.

Construction Code Official	\$6,750.00 – \$8,250.00
Plumbing Sub-Code Official & Inspector	\$3,901.00 – \$4,400.00
Zoning Official	\$3,128.00 – \$3,822.00

Police Matrons \$13.50 – 16.50/hr  
With a minimum of 4 hours pay if called out between 9 p.m. and 6 a.m.

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.

*Fisher moved to introduce the Ordinance on first reading and Rich seconded. Motion carried unanimously.*

**STANDING COMMITTEE REPORTS**

**Open Space**

- *Final Map of Conservation Easements & Other Deed Restricted Properties:* Cathy Urbanski presented a large version of the Open Space map that was prepared on the basis of deeds and the tax map. For a cost of \$50, a new one can be produced each year. A CD of shape files with the GIS layers was provided for Township files but needs the ARC Reader program to utilize. Easement monitoring is still proceeding but once completed the Township will have a book of all easements with accompanying pictures.

- *Discussion Concerning Auction of Former Toll Property:* Hal Shute noted that although the auction has been delayed until March 14<sup>th</sup>, he'd like to get the resolution updated for the next meeting and will consult with Attorney Faherty. How the bids will be received has to be clarified and SADC's concern over process and marketing was noted. The concern about having people on the property during hunting activities was again raised but there may be a window of opportunity as there is no Sunday hunting during the December firearms season.

- *Municipal Grant Application & Resolution:* This is to obtain last year's money and will reduce the \$29,000 Wooden cost.

Resolution #156-2013

WHEREAS, The Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide County Funds in connection with preserving open space, natural areas, farmland and historic sites; to acquire, develop, improve and maintain county and municipal lands for recreation and conservation purposes; and preservation of historic structures, properties, facilities, sites, areas, or objects; or for the payment of debt service or indebtedness issued or incurred by the municipality for any of the purposes described above; and

WHEREAS, West Amwell Township desires to further the public interest by obtaining funding the amount of \$16,904.64 from the County of Hunterdon to fund the following project:  
Wooden Property

At a cost of \$16,904.64;

NOW, THEREFORE, the governing body resolves that Judy O'Brien is hereby authorized to:

- (a) make an application for such County Open Space Trust Funds
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named Municipality; and

WHEREAS, the County of Hunterdon shall determine if the application is complete and in conformance with the scope and intent of the Hunterdon County Open Space, Farmland and

Historic Preservation Trust Fund Plan, applicable Freeholder Board Policies and the Procedures Manual for the Municipal Grant Program adopted thereto, and notify the Municipality of the amount of the funding award; and

WHEREAS, the Municipality is willing to use the County funds in accordance with such adopted Policies and Procedures, and applicable state and local government rules, regulations and statutes;

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the governing body of West Amwell Township

1. That the Mayor, Zachary T. Rich, of the above named Municipality is hereby authorized to execute any documents and agreements with the County of Hunterdon known as Wooden Property;
2. That the Municipality has its share of funds, if required, in the amount of \$16,904.64
3. That, in the event the County of Hunterdon's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

*The Resolution was unanimously approved on motion by Fisher, seconded by Dale. Mayor Rich signed off on the application.*

- *Property Status Updates:* Mr. Shute reported that Toll Brothers has met with the County Attorney but the parties are still arguing. However, the CADB is moving forward. Once the 2<sup>nd</sup> appraisal comes in, these will be sent to the State to certify. Lambert is moving forward and if the County deadline is extended, this will get in for this year. Word received from Rick Steffy of the CADB is that the State purchased the Black River & Western ROW. Confirmation pending.

### **Environmental**

- *Authorization to Post September 12, 2013 Minutes to Website:* Approved  
Mrs. Urbanski also requested that the funds in her budget not be taken during November transfer activity. A note to this effect should be sent to the CFO.

### **UNFINISHED BUSINESS**

**Possible Appointments & Selection of Deputy Mayor** – Nominations were opened for deputy mayor for the remainder of 2013. John Dale nominated George Fisher, who seconded the motion. There were no other nominations. Motion carried unanimously.

The following appointments were offered and approved:

Zoning Board: Robert Borden to the unexpired 4 year term vacated by John Dale  
Kevin Koveloski to Alt #1 slot; 2 year unexpired term (2013)  
TDB, Alt #2; 2 year unexpired term (2014)

Planning Board: George Fisher, Class III

Open Space: Dan Malek, unexpired term (2014)

Police Matron: Krista Parsons

**Updates** – 1) A letter was just received from the Division of Rate Counsel concerning the SHREC **energy aggregation** program with comments on several areas of the proposed RFP. Mr. Fisher will reach out to Gabel Associates. The **solar** project is being help up due to the interconnection for the high school. However, the biggest problem is with the **PPA** lease. A meeting is scheduled for November 6<sup>th</sup> at 7 p.m. as a follow-up to the conference call held on October 25<sup>th</sup>. There is a signed contract in place from 2011 but the company buying/financing the Swan Creek project is requiring modifications to that document. Mr. Fisher commented that the elementary school is upset over the roof issue. There are also concerns involving sales tax, a change from 20 to 15 years and various increased risks to the municipality. Hal Shute suggested that any revision include a termination clause. Also relayed was that the SHREC attorney is not happy with the changes proposed. 2) Mr. Fisher has been in touch with Leon Kusant concerning a 30K **generator** for the Firehouse and will make contact with the State contract person. The old generator has been started by the DPW supervisor. It was also noted that the nearby oak tree has to come down. 3) Six residents signed up for last Saturday's **cleanup day hauling**. Delaware is proposing \$163.00 plus tipping per their DPW person. However, official word has not been received from their township committee. The possible recycling of all types of batteries is under investigation by the recycling committee and a

company has been located that will pay 11 cents/pound for electronic items. If this pans out, the recycling money received would pay for cleanup costs.

**Revised Resolutions**

- *Auction* (Change/Addition of Vehicle to be Sold): There's some thought being given to switching the transmission from the 2004 to the 2008 Crown Vic and selling the former instead of the latter at this time. As both vehicles will eventually be sold, this will cover the bases until a firm direction is in place.

RESOLUTION #157-2013

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WEST AMWELL AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Township of West Amwell has determined that the property described and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township of West Amwell intends to utilize the online auction services of the Public Group-Public Surplus located at [www.publicsurplus.com](http://www.publicsurplus.com); and

WHEREAS, the sales are being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9, and

WHEREAS, the Township of West Amwell would like to auction the following items:

- 2004 Ford Crown Vic

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of West Amwell in the County of Hunterdon, State of New Jersey, that the Township is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled [www.publicsurplus.com](http://www.publicsurplus.com); and be it further

RESOLVED, that the terms and conditions of the agreement entered into between the Public Group-Public Surplus and the Township of West Amwell are available at [www.publicsurplus.com](http://www.publicsurplus.com) and in the Township Clerk's office; and be it further

RESOLVED, that a certified copy of the within Resolution be forwarded by the Township Clerk to the Department of Community Affairs, Director of the Division of Local Government Services.

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

- *Police Vehicle (Revised Resolution to Reflect Year)*: It was originally thought that the vehicle would be a 2013. The paperwork now says 2014. A resolution must accompany the lease papers.

RESOLUTION #158-2013  
(Amending Resolution #153-2013)

WHEREAS, the West Amwell Township Police Department has need of a new vehicle; and

WHEREAS, Winner Ford, under state contract #82925, has a **2014 Ford Interceptor Utility Police Package**, four wheel drive vehicle, complete with light package available for lease; and

WHEREAS, the 3 year lease annual payments will run approximately \$13,000.00; and,

WHEREAS, the CFO has certified that funds will be made available

THEREFORE BE IT RESOLVED by the West Amwell Township Committee, that a 3 year lease is hereby approved for a **2014 Ford Interceptor Utility Police Package vehicle**.

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

**Mill Road Surface Treatment Invoice/Resolution** – The final bill exceeded what was originally authorized.

RESOLUTION #159-2013

WHEREAS, Mill Road received surface treatment by Top Line Construction under County Bid #2013-10; and

WHEREAS, a total expenditure of \$24,704.47 was originally approved; and

WHEREAS, the final bill for the referenced work exceeded what was originally authorized

THEREFORE BE IT RESOLVED, by the Township Committee of West Amwell Township that the additional \$1,236.03 is hereby approved

BE IT FURTHER RESOLVED, that the Treasurer be instructed to issue a check in the amount of \$25,940.50 to Top Line Construction.

*The Resolution was approved on motion by Fisher, seconded by Dale. Rich abstained.*

Mr. Rich relayed that George Washington Road work is scheduled for November and should take less than a week. Initially this was to be a combination project between the contractor and DPW staff. However, the bid included the entire project, so the Township did very well on price. It was also requested that parking lot crack fill/seal work be a 2014 capital budget item.

**NEW BUSINESS**

**Fire Company Equipment** – This expenditure is included in the capital ordinance adopted earlier this year.

- *State Purchasing Resolution:*

RESOLUTION #160-2013

WHEREAS, the Township of West Amwell, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.20 ©), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of West Amwell has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the Township of West Amwell intends to enter into contracts with the attached Referenced State Contract Vendor(s) through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Township of West Amwell authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Township of West Amwell pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contract(s) between the Township of West Amwell and the Referenced State Contract Vendor(s) shall be from October 29, 2013 to December 31, 2013.

<u>Commodity/Service</u>	Referenced State Contract Vendors	
	<u>Vendor</u>	<u>State Contract #</u>
Fire Turnout Gear	George Kline Sales 308 Cambria Ave Bensalem, PA 19020	A80948

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

- *Purchase Authorization Resolution:*

**RESOLUTION #161-2013**

**WHEREAS**, there is a need to purchase various pieces of fire company turn out gear for the Township of West Amwell, in the County of Hunterdon, State of New Jersey as follows

- 1) 5 coats @ \$1,255.48 (\$6,277.40)
- 2) 5 pair pants @ \$924.28 (\$4,621.40)
- 3) 1 harness @ \$200.00

; and

**WHEREAS**, these items can be purchased through the following State Contract vendor

#80948 George Kline Sales; \$11,098.80

; and

**WHEREAS**, the maximum amount of the purchases is \$12,000.00; and

**WHEREAS** the CFO has certified to the Township Clerk that funds are available in the Ordinance 7, 2013; and

**WHEREAS**, public bids are not required when the purchase is under a state contract in accordance with 40A:11-12 of the Local Public Contracts Law.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of West Amwell, in the County of Hunterdon that the CFO is hereby authorized and directed to approve and forward Purchase Requisitions to the stated vendors for the commodities listed above.

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

**S & W Amendment Resolutions** – The following accounts for changes in personnel.

**RESOLUTION #162-2013**

BE IT RESOLVED by the Committee of the Township of West Amwell that the 2013 Salary and Wage Resolution, adopted May 22, 2013 be amended as follows:

Position	Salary/Compensation
<u>Add</u> : Township Committee member Dale	\$2901.00 (pro-rated)
<u>Delete</u> : Township Committee member Molnar	\$2901.00

BE IT FURTHER RESOLVED that the effective date of this action is October 11, 2013.

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

**RESOLUTION #163-2013**

BE IT RESOLVED by the Committee of the Township of West Amwell that the 2013 Salary and Wage Resolution, adopted May 22, 2013, be amended as follows:

Position	Salary/Compensation
<u>Delete</u> : Police Matron Griffiths	\$17.45/hr
<u>Add</u> : Police Matron Parsons	\$ 15.00/hr



BE IT FURTHER RESOLVED that the effective date of this action is upon final publication of Ordinance 16, 2016.

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

**Mt. Airy Dairy Club & 90<sup>th</sup> Anniversary**

RESOLUTION #164-2013

WHEREAS, the Mt. Airy Dairy Club, originally called the Mt. Airy Calf Club, held its organizational meeting on November 30, 1923 in the historic Village of Mt. Airy situated in West Amwell Township; and

WHEREAS, the Mt. Airy Dairy Club is the oldest continually operating club in New Jersey; and

WHEREAS, the Mt. Airy Dairy Club has grown from the 10 youths of West Amwell dairy farmers to 35 individuals from throughout Hunterdon County; and

WHEREAS, the Mt. Airy Dairy Club is now celebrating its 90<sup>th</sup> anniversary of teaching future generations about cows, the dairy industry, community service, leadership, showmanship, recordkeeping, and responsibility; and

WHEREAS, West Amwell Township is honored to be the ‘ground zero’ of this organization’s founding; and

WHEREAS, the West Amwell Township Committee, on behalf of its residents—both former and current—do hereby extend appreciation to all the leaders of the Mt. Airy Dairy Club for their dedication and active involvement with this endeavor throughout the years

THEREFORE BE IT RESOLVED, by the West Amwell Township Committee, that a hearty ‘Congratulations’ be extended to the members and leaders of the Mt. Airy Dairy Club on the occasion of their 90<sup>th</sup> anniversary

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread in the minutes of October 29, 2013 in acknowledgement of this worthy achievement and cause for celebration; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be presented to the Mt. Airy Dairy Club at their November 30, 2013 anniversary celebration with all good wishes that the next 90 years be as productive and successful as the ones that have just passed

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

**Planning for 2014**

- *Meeting Schedule Discussion:* It was determined to keep the current schedule of 2<sup>nd</sup> Monday and 4<sup>th</sup> Wednesday, with the former only as needed.

- *Professional Services:* Proposals for 2014 Auditor are due November 7<sup>th</sup>. Other professionals to remain the same as 2013.

**Zero Turn Mower** – A discussion ensued over the fire that destroyed the mower; if same was preventable; the cause thereof; and, if someone needs to be written up. Mr. Dale & Mr. Fisher agreed that the pictures would indicate a full-fledged gas fire. However, also noted was that the department’s track record with equipment was not good. In that the Township has no idea of what actually caused the fire and there is no definitive proof as to whether the cause was leaves, a gas leak, or an installation problem, it was the decision of the Committee to request that the DPW Supervisor document the accident in writing—a who, what, where, etc. report.

**Patrolman Cesare** –

RESOLUTION #165-2013

WHEREAS, Joseph Cesare was appointed as a probationary patrolman in the West Amwell Township Police Department on October 19, 2012; and

WHEREAS, the one year probationary period has now been completed; and

WHEREAS, Captain Stephen J. Bartzak has stated that Probationary Patrolman Cesare has completed all of the post academy training requirements and has proven himself to be an asset to the Township Police Department in all aspects of the job; and

WHEREAS, Captain Stephan J. Bartzak has recommended that Probationary Patrolman Cesare be made a permanent sworn member of the West Amwell Township Police Department, and receive a promotion to the rank of Patrolman Sixth Class, with an annual salary of \$48,616 per the Police Officers Agreement.

NOW THEREFORE BE IT RESOLVED that Joseph Cesare be granted full status, retroactive to October 19, 2013, subject to the specific terms and conditions of employment as defined in the West Amwell Township Police Department Rules and Regulations and the Police Officers Agreement.

BE IT FURTHER RESOLVED that a copy of this Resolution be placed in Patrolman Cesare's personnel file with a copy also relayed to the patrolman for his records.

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

**Municipal Alliance Grant Extension for 2013 Resolution –**

**RESOLUTION #166-2013  
Fiscal Grant Extension January 1, 2014 to June 30, 2014**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, the Township of West Amwell, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Township of West Amwell, further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Township of West Amwell was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal year rather than calendar year cycle; and

**WHEREAS**, funding has been made available to the South Hunterdon Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind Match grant requirement for the extension funding.

**NOW, THEREFORE, BE IT RESOLVED** by the Township of West Amwell, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Township of West Amwell does hereby support the submission of an application for the South Hunterdon Municipal Alliance grant for the extension period in the amount of \$7,350.
2. The Township of West Amwell Council acknowledges the terms and conditions for the Municipal Alliance grant.
3. As Lead Municipality for South Hunterdon, the Township of West Amwell Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including reporting of programs within its cluster area.

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

**Closed Session**

**RESOLUTION #167-2013**

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:

PERSONNEL

CONTRACT NEGOTIATIONS

POTENTIAL LITIGATION

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 Rich, seconded by Fisher.*

The meeting returned to Open Session on motion by Rich, seconded by Dale at 10:06 p.m. with the following result: A letter of position re-appointment will be sent to Chris Rose.

**OPEN TO THE PUBLIC**

Attorney Faherty relayed that a letter has been sent to the Historic Preservation group explaining the situation with the house on Route 31 in the New Market Historic District, i.e., a petition has been received by the Township Committee to take action; that there have been notices of violation sent; and, no appeals. He also overviewed the history for Mr. Dale's benefit.

Mr. Rich inquired about the Belvidere Street house as there was mention at an earlier meeting about attending to this in the fall. DPW Supervisor Hoagland will be requested to provide a plan of action for its demise.

**ADMINISTRATIVE REPORTS**

**Treasurer** – The CFO submitted a letter recommending that Auditor Case be retained to perform a cash audit of Public Assistance prior to transition to the County. It was also relayed that Barbara Walsh has been assisting him in reconciling the CTM system. No objections were noted.

**RESOLUTION #168-2013**

WHEREAS, it has been determined by the Township Committee of West Amwell Township that the following applicant's escrow fees are in excess of what was needed to cover their inspection fees, and

WHEREAS, the Township Committee has approved a refund of the following amount;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell that the Treasurer is hereby authorized to refund the following amount to the applicants:

Applicant	Amount Refunded
Hood Properties	\$350.92
Dominic DeSantis	\$313.00
Elizabethtown Gas – 27 Old York Road	\$196.25

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

**RESOLUTION #169-2013**

WHEREAS, The State of New Jersey has passed the following legislation-Chapter 54, P.L. 1995-Developer Escrow Statute Amendments, effective September 13, 1995; and

WHEREAS, to comply with N.J.S.A. 40:55D-53.2 the Municipality must adopt a schedule of the fees and charges of all professionals whose services might be charged to developers;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell that the following fees and charges of professionals are:

Zoning Board of Adjustment Engineer  
Van Cleef Engineering Associates - \$133.00/hr  
Planning Board Engineer  
Maser Consulting - \$ 135.00

Zoning Board of Adjustment Attorney  
Stewart Palilonis -\$150.00/hr  
Zoning Board Planning Consultant  
Van Cleef Engineering Associates - \$127.00/hr

Planning Board Attorney  
Felter, Cain & Shurts, Esq - \$150.00/hr plus reimbursement of out of pocket expenses  
Planning Board Planning Consultant  
Clarke Caton Hintz - \$130.00/hr

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

Presentation of Bills for Approval:

RESOLUTIONS #170-2013

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 \$335,137.40, dated October 29, 2013, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations.

*Fisher motioned to approve the evening's bills for payment, seconded by Rich. Motion carried unanimously.*

Treasurer Report, Statement of Cash, Revenue, and Investment Report: Appropriations through October 29, 2013 were provided and reviewed.

**Tax Collector** – The monthly report for September 13, 2013 was received showing receipts in the amount of \$182,054.60.

**Police** – The June through October 2013 Monthly Report was received. A different format is being employed. Mr. Fisher commented that no comparisons were included as was the case previously.

*The reports were accepted as presented.*

**CORRESPONDENCE**

The correspondence as listed on the Agenda was ordered filed.

**ADJOURNMENT**

There being no further business, the meeting was unanimously adjourned at 10:22 p.m. on motion from Rich.

Respectfully submitted,

---

Lora L. Olsen, RMC  
Township Clerk