

WEST AMWELL TOWNSHIP COMMITTEE MEETING

October 18, 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 7:01 p.m. Present were Mayor John Dale, Committeemen James Cally, Gary Hoyer, Zachary T. Rich (7:18), Clerk Lora Olsen and Attorney Philip J. Faherty III. Deputy Mayor Stephen Bergenfeld was absent. Also in attendance were approximately 70 people of which the following made their presence known via the sign-in sheet: Bob Balaam, Robert Tomenchok, Jr., Heide Tomenchok, Shirley Skillman, Vanessa Briesch, Martha Shea, Karen & Tim Lelie, Connor Healy, Cindy Williamson, Tim Vanatta, Kim & Tom Britton, Mike & Christina Spille, Raphael Caprio, Matthew Kelly, Steve Murzenski, Bill Palmer, Jen Batchellor, Sandra Gambling, Brian Claus, Kevin Koveloski, Eric Richard, Pat Masterson, Shawn Mosby, John Lee, John & Debbie Lane, Mark Valente, William B. Falvo, Jill Myers, Tim Campbell, Hal Shute, Ed & Marianne Fimbel, James Crilly, Bill Corboy, Carl Weber, Harry Heller, Steven Cattani, and Erik Hagman,

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. A notice of time change was published on October 12, 2017 and posted on the website.

FLAG SALUTE

The mayor led those in attendance in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

No additions or deletions were made.

ANNOUNCEMENTS

- West Amwell School 6th Grade Clothing Drive, October 28th - November 11th
- Adult Open Gym, Mondays through March 27, 7:30-9:30 p.m. @ South
- Track Installation Proposals, SHRSB BOH Meeting, Oct 23rd @ WA Elementary
- Day Light Saving Time Ends, November 5th, 2 a.m. - Clocks back 1 hr.
- Municipal Offices Closed Friday, November 10th for Veterans Day
- Township Rabies Clinic, November 11th, 1-3 p.m. Municipal Bldg-Lower Level
- Early Voting, Oct 26th, Nov 2nd Until 7 p.m.; Oct 28th, Nov 4th 9 a.m.-1 p.m., Nov 5th 10 a.m. – 2 p.m., County Clerk's Office, Main Street, Flemington
- Election Day is Tuesday, November 7th, Polls open 6 a.m. to 8 p.m.
- County Ident-a-Shred Days @ Court House, 9 a.m.to Noon on Nov 4 (County residents only; No Businesses; 10 Box Limit)
- County Hazardous Waste Day, November 18th, 9 am-1 p.m., Route 12
- Legislative District 15 Hurricane Relief Donation Box in Municipal Building from October 13 – 27th. See website for desired items.
- JCP&L Fall Routine Inspection of Transmission Lines Begin October 13th
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

A motion by Cally, seconded by Hoyer to approve the October 18, 2017 Regular meeting minutes with no revisions noted carried unanimously.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

This item was deleted given the upcoming Q&A on the referendum.

SPECIAL PRESENTATION(S)

Resolution to Enter Closed Session

RESOLUTION #127-2015

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:
LITIGATION (Affordable Housing)
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 Cally, with a second from Hoyer.

The regular meeting re-commenced at 7:40 p.m.

Q & A Session Concerning Upcoming Referendum

Mayor Dale opened this segment and stated that the referendum is not about the quality of the police department, as it is one of the better ones, but a financial one. He urged all in attendance to vote on November 7th, as the Committee needs to know the desire of the residents in order to go forward, and explained the financial issue is due to the loss of State funding over the past several years. The mayor announced that there was to be no grandstanding and that Heidi Tomenchok would be overseeing the Q&A session.

Mrs. Tomenchok introduced herself as the Chair of the Community Outreach committee, the purpose of which is to improve communications to the residents using the website, social media, and handouts. The request was made that all comments be kept to the matter of the referendum. She also reminded those in attendance to register their presence using the sign-in sheet.

Connor Healy, 17 Steepleview, inquired as to how the \$400 per year number was arrived at and was advised by Mr. Hoyer that this figure would emerge over several years. Mr. Healy commented on his understanding that a NO vote keeps the police but he finds the non-binding issue to be scary. Also questioned was why other information was being prohibited; apologized for his comments at the last meeting; and, asked that Captain Bartzak explain what the police department does at the schools.

Mike Spille, 32 Hewitt, commented that the introduction says \$400/year, noting that this is a misleading statement. He further noted that referendums with questions have sometimes gone to court and questioned whether the Committee was worried about a challenge. To the former, Mr. Beaumont, a member of the Finance committee, relayed that it is \$400 on the average assessed value of a property and that caps may limit increases in any one year. As to the latter, Mr. Spille was reminded that this is a non-binding referendum. Mr. Hoyer explained that the YES vote would allow for the exploration of alternatives and any savings would have to be sustainable over time and be transparent as to tax impact. A NO vote would be binding on the Committee per the mayor.

Captain Steve Bartzak spoke about the school shootings that have progressed over recent years and its effect on his decision to do something to protect the kids in school here. Officers visit each school 2-3 times a day both at the front desk and with the students so there is a connection and the kids are comfortable with their presence. Reports are prepared by the officer while in the parking lots where they can watch and react if there is something suspicious occurring. Thankfully, there's been nothing so far and things check out. Captain Bartzak continued that he has done an extensive study on school shootings and noted that these incidents are over in about 3 ½ minutes; the importance of early intervention; and, that sirens usually mean that the shooter takes their own life. He ended by stating that the officers do a great job.

Mr. Hoyer advised that half of the \$400 is already earmarked in this year's budget; that the budget is \$200,000 out of balance; inflation will add to the deficit; there's no capital surplus for emergencies; and, various budget items will not decrease. The choice becomes whether to put away for roads, etc. or the alternative of putting these off with material savings in order to keep taxes flat.

MaryAnn Murray Fimbel, 344 Rocktown-Lamb. Road, spoke in support of the police based on her experience while working at the high school, noting that this relationship was invaluable. As a social worker, she could count on the officers to handle incidents professionally and

pro-actively. In addition, the officers knew the kids and provided needed guidance, often on their own time. Although money is tight, the value of the police department to her is community related.

Mrs. Tomenchok reminded the attendees that questions be kept to the referendum question.

Steve Cattani, 18 Cedar Crest, commented that the dollar number is unknown should the vote be YES. Mr. Hoyer advised that the purpose is to permit the Committee to go out and investigate. Mr. Cattani continued that the perception is that this is 'yes or no' as to the police department which is a rather strong statement if the purpose is only to evaluate the cost of the department. The difference needs to be stressed as voters are not getting the picture. Mr. Cally opined that emotions are clouding what is being projected; and, that the community is being given an opportunity to say save or go away.

Mr. Spille commented on the referendum's purpose and that it doesn't read explore but pursue a contract, which is not quite what the Committee thought and he finds the wording confusing. Mr. Cally offered that a contract would stipulate what is needed by way of policing and that any savings would have to be enough to warrant a change.

Commenting that the Committee needs to make the numbers work; that there are relationships present tonight; and, that this is a very emotional issue, Mr. Rich advised that this is not about the police but that if the residents want the service, they have to pay for it.

Mr. Spille continued by questioning why the selected benchmark towns were chosen in that they are not similar to West Amwell. The reason relayed by Mr. Hoyer was that these communities had dealt with a similar situation recently and were relatively local towns. He acknowledged that there were limited options as to where to look and commented on the difficulties presented with Lambertville and Hopewell Township, noting that there may not be any real viable option to be found. In another inquiry, Mr. Spille asked about the timing of possible outsourcing and whether this would be for a 2018 or 2019 budget. The mayor answered that it would be in 2019.

Kristina Spille, 43 Hewitt, inquired whether a viable option was found, if there would be a second vote. The answer was no and that the Committee would make the decision. However, the savings would have to be significant in order to make the change. The savings number given was between \$500,000 and \$600,000. Mr. Hoyer further commented that the Committee is not picking on the police department but that this is the largest line item in the budget whereby there is an opportunity for savings.

Ed Fimbel, 344 Rocktown-Lamb. Road, inquired what would be obtained with a yes vote; if this would result in stripped down services that would not be in the best interest of residents; and, that it would be a scary thing to vote yes when there's no second vote planned. He asked what would be similar as the township has an outstanding department.

Jean Sellner, Rocktown-Lamb. Road, asked why the Committee had not obtained proposals prior to the referendum question being posed. Some fore thought into the tax and revenue situation by raising taxes over time or obtaining proposals in order to present the facts before this point was suggested. Mr. Hoyer relayed that there was not enough of a time frame prior to the submission of the referendum question and that the Committee has done a good job in finding savings in past budgets. Mrs. Sellner continued that finding ways to save or increase taxes gradually to meet the need and then having bids in hand to present savings would have been the wiser approach. However, without the second vote, it appears that the Committee is using the referendum as a reason to increase taxes. She expressed disappointment that no facts were given as to cost of a merger, etc., noting that she moved here for the cheaper taxes but would not have been opposed to a slight increase as the Committee has been trusted with the money of the residents. In response, Mr. Rich stated that they have done the best job possible; have exhausted all options; do a lot with a little; run the township as lean as can be; and, want to do things right. A brief exchange over loss of State funding and the budget being out \$200,000 this year and going forward ensued.

Vanessa Briesca, Rocktown-Lamb. Road, noted her appreciation for the effort expended to get to this point and inquired as to other possible elective services whose funds could be shifted to save the police. The mayor responded that there's no more money; roads are behind on repairs; the buildings need lots of work; and, that there's nothing available to be shifted. There are no other electives. Mr. Hoyer added that Open Space has been generous in providing

funds to preclude raising taxes and the Finance committee has looked everywhere in the budget to no avail.

Raphael Caprio relayed that he was asked to be here this evening; is with the PBA; and, raised the following points:

- How can the budget be \$200,000 out of balance as there is a requirement for it to be balanced? Mr. Hoyer responded that the only options are increasing revenues or debt.
- If savings are less than \$500,000, will there be no outsourcing? Is there a commitment to this?
- Based on the current contract with a base of 1.86 million, the increased cost for next year's police department is \$50,000 to \$60,000, including salaries and benefits. Mr. Rich advised that there are other pieces in play that add to that amount.
- If the amount of increase is only \$60,000 to the police line based on the contract, is it fair to say that the increased cost is due to the police department? Why was the Committee elected?
- Noted that PFRS is 75% funded. The challenge with property taxes is that with the appropriations cap, there's not much left if the increase stays the same. Where does the potential increase of \$400,000 to \$500,000 come from as the appropriations cap constrains what can be raised in a year. Mr. Cally advised that the increase would be over several years; Mr. Rich offered that the township needs resources; and, Mr. Beaumont added that the targeted results would be addressed over several years.

Mr. Healy returned to the floor to inquire why there would be no other vote and why assurances can't be given if the savings is \$500,000 or less.

Mr. Spille returned to note his frustration in getting information while attempting to dig into the matter and commented that the Committee 'talks down' to the residents. He's looking for transparency and how to improve communications in order to get information out to the community. Projections and breakdowns are needed as he has asked for numbers, budget caps, exemptions, as well as a breakdown of the \$400.00. Mrs. Tomenchok offered that the outreach group is dealing with the same frustrations in how to convey information so that it is understood. They are to be a bridge between the Committee and the public and are working toward putting information together. The group was just formed in April; are experiencing growing pains; are looking for people to help; and, things won't happen overnight. She requested that Mr. Spille be part of the process and noted that few people read what's on the website. Mr. Rich offered that there could be layoffs, such as no deputy in the office, a cut back in road work, etc., with Mr. Hoyer adding that the \$200,000 problem this year vs next year still results in no surplus.

Shawn Mosby, 31 Music Mountain Boulevard, inquired as to why no due diligence was done prior to putting this referendum out for a vote. As he travels frequently, he is secure in the knowledge that the police department protects the area and that the guys care about the community. He questioned what services would be obtained from a contracted police force, then answered his own question by stating that there would be no service. He urged the Committee to think about the personal side; commented that a State police response would be too late; and, requested that all parties spend time to make things work.

Mr. Healy suggested that the sample ballot question was different and was advised by Mr. Beaumont that it was identical.

Seeing no other residents come forward, appreciation was extended to all for coming out this evening. A 5 minute recess was called at 9:22 p.m. and unanimously approved.

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING - none

STANDING COMMITTEE REPORTS - none

UNFINISHED BUSINESS -none

NEW BUSINESS

2017 Best Practices – The results of the CY 2017/SFY 2018 Best Practice Inventory were shared for discussion. A total of 21 points was noted as achieved and means that there will be no loss of final State funding. As also required, the document has been certified by the Chief Administrative and Financial Officers. The deadline for this year's submission is Friday, October 20th.

2018

- *Professional Services*: An e-mail received from Planning Board Chair Tomenchok requesting advertisement for their 2018 professionals was relayed. If the Committee is also interested in advertising for professional services, this could be done jointly as was done several years ago. A listing of current professional service contract holders was presented with a determination to be made at the next meeting.

- *Animal Control*: Whether to invoke the option to renew with St. Hubert's for 2018 at a cost of \$8,526 was approved. The need for additional dogs was noted.

Request for Clean Community Funding – A request for \$500 from the Township's grant was received from Dove Environmental Education for a program at ESC. Due to internal plans for these funds, it was determined that the Township would be unable to accommodate and the request was denied.

OPEN TO THE PUBLIC

The handling of the Q&A session held earlier received a positive comment.

Mr. Rich noted the receipt of a letter from the Director of Public Works expressing concern about the garbage and recycling collection program. A written response from the Recycling committee was requested. A letter concerning the retirement of the Township Clerk was received and so noted by Mr. Rich.

ADMINISTRATIVE REPORTS

Treasurer –

Presentation of Bills for Approval: The mayor commented on a bill for brake work completed by Amwell Auto and a windshield replacement for the F350.

RESOLUTION #128-2017

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 \$1,487,930.69, dated October 18, 2017, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations.

Cally motioned to approve the evening's bills for payment. Rich seconded. Motion carried unanimously.

Treasurer Report: Appropriations to date were provided and reviewed.

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 9:45 p.m. on motion from Dale.

Respectfully submitted,

Lora Olsen, RMC
Township Clerk

APPROVED: November 1, 2017