

SPECIAL WEST AMWELL TOWNSHIP COMMITTEE MEETING  
September 21, 2010 – 9:00 a.m.

The West Amwell Township Committee met on the above date at 9:00 a.m. Present: Mayor Molnar, Committeemen Masterson and Fisher, Attorneys Faherty (until 10:25 a.m.) and Cohen (until 9:39 a.m.), Catherine Park (at 9:40 a.m.), Jane Luhrs (at 10:30 a.m.)

In compliance with the Public Meetings Act, Mayor Molnar announced that this Special Meeting was called pursuant to the provisions of the Open Public Meetings Act with notices faxed to the Hunterdon County Democrat and the Trenton Times on September 14, 2010. 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 and a copy of the CD is on file in the Office of the Municipal Clerk.

**CLOSED SESSION:**

RESOLUTION #128-2010

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  
PERSONNEL
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 Fisher, seconded by Masterson.

*The Committee entered closed session at 9:02 a.m., returning to open session at 9:35 a.m., during a temporary suspension of the closed session, to act on the following resolution.*

RESOLUTION #129-2010

BE IT HEREBY RESOLVED by the West Amwell Township Committee that the governing body hereby approves the form and substance of the proposed Stipulation of Settlement, copy attached hereto, subject to approval by the Court at a Whispering Woods hearing.

The Resolution was unanimously adopted on motion from Fisher, seconded by Masterson.

*The Committee returned to closed session at 9:40 a.m. The meeting returned to open session at 10:15 a.m.*

**RESOLUTIONS:**

Awarding Bid for Toll Clean Up – A letter from the SADC giving the green light to the project award and stating that the cost would be considered an ancillary cost pursuant to the project Agreement was received.

RESOLUTION #130-2010

WHEREAS, the Township of West Amwell advertised and subsequently received bids for the *Demolition, cleanup and disposal of designated existing structures as well as clean up and disposal of on-site debris located on Block 8 Lot 36 in the Township of West Amwell;* and

WHEREAS, four bids were received as follows:

| <u>Contractor</u>       | <u>Bid Amount</u> |
|-------------------------|-------------------|
| Brennan Brothers        | \$27,950          |
| Lawson Excavating       | \$32,249          |
| J. Vinch & Sons, Inc    | \$42,700          |
| Grinnell Recycling, Inc | \$45,000          |

WHEREAS, Philip J. Faherty, III, Township Attorney, has reviewed the submitted bids and determined that Brennan Brothers of Old Bridge, NJ submitted the lowest bid for the work requested and has submitted the appropriate paperwork. However, Brennan Brothers' bid did

not make allowances for the removal of asbestos, which is part of the demolition project; and

WHEREAS, Lawson Excavating submitted the second lowest bid but did not include a current Business Registration Certificate at the time the bid was submitted; and

WHEREAS, Public Law 2009, c315 now allows for the Business Registration Certificate to be filed any time prior to the awarding of the contract and provides that failure to include the Business Registration Certificate as part of the bid packet is an immaterial defect; and

WHEREAS, Lawson Excavating submitted a current Business Registration Certificate issued on July 15, 2010, one day after the bids were due to be submitted; and

WHEREAS, Robert J. Baumley of the SADC has advised that the Township may award the contract; and

WHEREAS, the Township of West Amwell has sufficient funds to award the Contract per the Certification provided by the CFO

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of West Amwell that the Contract for the *Demolition, cleanup and disposal of designated existing structures as well as clean up and disposal of on-site debris located on Block 8 Lot 36 in the Township of West Amwell* is hereby awarded to Lawson Excavating of Lambertville, NJ for \$32,249.00.

The Resolution was unanimously adopted on motion from Fisher, seconded by Masterson.

Awarding DPW Garage Door Quote – Mr. Molnar stated that the project includes new tracks, rollers and installation. It was also noted that the DPW buildings are in need of a paint job.

RESOLUTION #131-2010

WHEREAS, the West Amwell Township Road Department is in need of new garage doors for the DPW facility; and

WHEREAS, quotes were solicited and received as follows:

|   |            |
|---|------------|
| Overhead Door Company of Central Jersey | \$8,370.00 |
| Jammer Doors                            | \$8,450.00 |
| Lebanon Door Company                    | \$9,950.00 |

WHEREAS, Overhead Door Company of Central Jersey has submitted the lowest bid for the requested commodity; and

WHEREAS, a Business Registration Certificate has been submitted; and

WHEREAS, the CFO has certified that sufficient funds are available in Ordinance 10, 2010 for this expenditure

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of West Amwell that the quote for the provision and installation of new garage doors at the DPW facility be awarded to Overhead Door Company of Central Jersey at \$8,370.

The Resolution was unanimously adopted on motion from Fisher, seconded by Masterson.

Refunding Tax Overpayment, Block 11 Lot 9.03 –

County of Hunterdon}  
State of New Jersey }

RESOLUTION #132-2010

WHEREAS, an overpayment of taxes occurred when this property was granted a county board appeal for 2010 taxes. Block 11 Lot 9.03 has a credit of : \$2,771.75.

This amount should be refunded to the property owners:

Michael Fitzgerald and Tracie Oliver.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Committee of the Township of West Amwell, County of Hunterdon, State of New Jersey to instruct the Treasurer to issue a check in the amount of \$ 2,771.75 for the refund of the amount overpaid on Block 11 Lot 9.03.

Make check payable to: Michael Fitzgerald and Tracie Oliver

Mail with a copy of this resolution to:

Michael Fitzgerald and Tracie Oliver  
1 Dairy Farm Lane  
Lambertville NJ 08530

The Resolution was unanimously adopted on motion from Fisher, seconded by Masterson.

**AUTHORIZATIONS:**

Mayor & Clerk to Sign Green Acres Payment Form/Kilmer Land Costs – An acquisition payment form for the Kilmer project totaling \$530,647.61 in reimbursable costs was presented. Fisher motioned to authorize the mayor to sign with Masterson providing the second. Unanimously approved and signed by Mayor Molnar.

CFO/Treasurer to Cut Payment Check for Outstanding Attorney Bill – A bill for Open Space work performed by Attorney Faherty was not approved in time to be included on the last bill list. Fisher motioned to authorize CFO/Treasurer action, Masterson seconded. Unanimously approved and released.

**REVIEW OF DCA BEST PRACTICES CHECKLIST:**

The questions were individually reviewed, discussed, marked accordingly and comments noted as appropriate. The result was 77 yes; 5 n/a, and 6 no with a couple questions requiring input from the Recycling Coordinator. The Clerk was instructed to proceed with a Fair and Open process ad for the positions of Auditor and Engineer with price and experience to be the determining factors for any potential award.

**OPEN TO THE PUBLIC:**

There was no public in attendance. However, a few additional items were mentioned as follows: A mileage reimbursement submitted by Patrolman Ennis will be forwarded to Attorney Faherty for review and determination.

A \$3900 repair estimate for transmission work on the 2005 Ford Explorer was noted. Mr. Molnar thinks this is high and will follow up. Warranty will also be checked. A new radiator was also recently installed by the Road Supervisor.

Twelve tires for police vehicles have been purchased. The need for a requisition prior to purchase was stressed.

Delaware Township's interest in talking 'police department' has not gotten past initial conversations with Chief Mast and Roger Locandro. Whether Lt. Bartzak was going to put something together was questioned. It may be that West Amwell will be re-building with new officers and the core group.

An e-mail received concerning a County police force that would contract services to municipalities was noted. Contact with incoming Sheriff Brown will be needed.

A meeting to begin negotiations on a new police contract is still pending.

The issue of police cars must be addressed this year as the current fleet has deteriorated.

**ADJOURNMENT:**

There being no further business, the meeting was unanimously adjourned at 11:50 a.m. on motion by Molnar, seconded by Masterson.

Respectfully submitted,

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Lora L. Olsen, RMC  
Township Clerk