

WEST AMWELL TOWNSHIP COMMITTEE MEETING

April 24, 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 7:03 p.m. Present were Mayor Zachary T. Rich, Deputy Mayor Thomas J. Molnar, Clerk Lora Olsen, CFO Tom Carro (7:18) and Attorney Philip J. Faherty III. Also in attendance were Cathy Urbanski, Hal Shute, Dave Beaumont, and Rob Tomenchok. Committeeman George A. Fisher was absent.

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

Mrs. Olsen led the assembled group in the pledge of the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following items were added: 11.A Resolution on Sustainable Funding for Farmland Preservation. Deleted was 13.C.

ANNOUNCEMENTS

The following announcements were made:

- West Amwell Country Fair to be held May 18th, 4-9 p.m. @ Municipal Complex
- Last Day to Register for June Primary is May 14th
- Municipal Offices Closed May 27th for Memorial Day
- Primary Election is June 4th from 6 a.m. to 8 p.m. in Municipal Building
- 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, Special and Closed Session minutes were unanimously approved on motion from Molnar, seconded by Rich.

April 8, 2013 Special

April 8, 2013 Regular

April 8, 2013 Closed Session (Contract Negotiations)

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

Mayor Rich requested that a card be sent to Gene Lelie on the recent loss of his wife. Also noted was the fire on Lakeview where a barn burned to the ground. Firefighter Paul Hunt was injured but is doing well.

Rob Tomenchok commented on item 9.D.3, the Eagle Scout project, in that there is paperwork still needed. He suggested that a plaque be displayed stating that this work was 'not at tax payer expense.' A ribbon cutting and/or other publicity was suggested for the Country Fair. Mr. Tomenchok advised that he helped with the planning and noted that this should have been two projects but was rolled into one.

Dave Beaumont questioned where water was obtained during the fire. He was advised that it came from Hanover Shoe Farm. Mr. Beaumont then mentioned a couple of problems on Rock Road West. The first is the lack of a ditch on the opposite side of the road near him and that the culvert is blocked. Mr. Hoagland will be alerted. The second concern was for speeding vehicles. As more folks are out walking, he questioned whether there was any leeway in lowering the posted speed limit. The road is used as a cut through and Mr. Beaumont would like to see a sign for drivers to 'slow down for pedestrians' or 'no thru traffic.' He also inquired about what avenues would be available for a 3-way STOP at Corsalo. Attorney Faherty advised that the latter cannot be enforced if proper channels are not followed and the connection to County roads noted. Captain Bartzak will be contacted about making use of the speed trailer.

SPECIAL PRESENTATION(S)

Regionalization Study: Mr. Beaumont provided an update from a meeting held two weeks ago as follows:

- Acting County Superintendent Jeff Scott has left. Gerry Vernotica has returned to that slot, is up to date on the situation and is supportive
- Neither the submitted questions, timeline nor voting date are concrete as to approval, although a September vote is planned
- A committee is working on a communications plan to include a press release, FAQs, and town hall meetings in each of the municipalities during May, June & July. Mr. Beaumont is the coordinator for the town hall in West Amwell to be scheduled for mid-June and will check with the Clerk as to available dates
- A resolution is proposed for each school board to approve that would deal with previously raised concerns and include a recommendation to the new board that prior to making structural changes, a plan be put together as to what changes are desired. The resolution would not have power over the new board, only a statement that there be investigation and analysis.
- The next meeting will be held during the first week of May.

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Introduction: 2013 Budget

CFO Tom Carro joined the meeting. The mayor proceeded to deliver a budget message, noting that he is most 'proud of this budget.' Appreciation was extended to the committee for their hard work, the CFO for putting this document together, and the employees for their efficiency, dedication and hard work. He also mentioned that the stakeholders of the organization include employees, volunteers and taxpayers; that with this budget, the taxpayers can count on not being asked for a penny more than is needed; and, that the employees can count on a well run organization that will no longer jeopardize their livelihood. Mr. Rich continued to review various budget facts for 2013:

- a 4.6% reduction in the tax rate; \$48 on average \$400,000 house
- \$47,000 less than 2012 from taxpayer revenue
- a health surplus balance of 10% of the budget
- a reduction in total debt, including an earlier pay off of the fire truck, and a revived credit score that made for good refinancing of open space debt
- a balance in open space revenue and expenditures has been achieved which ensures the continuation of the program for years to come
- a refi of the second open space bond is anticipated for 2016 and will lower the cost of interest payments
- long term financial stability will be achieved by paying off the debt, which will free up approximately \$300,000 in revenue by 2016—which is 10% of this year's budget; will allow for the ability to handle cost increases without asking for more taxpayer money; and, that the current effort will not jeopardize future budgets

Mr. Rich relayed that budget shows that it is possible to drop taxes and increase services and offered the following:

- planning for road work every year with George Washington Road scheduled to be re-done and Mill Road chip sealed in 2013
- ensuring maximum coverage, equipment and vehicles for the police department
- allocating funding for the fire department for future years equipment expenditures

Also expressed was the importance for all departments and personnel to know that they are valued; cautioned that focus has to be maintained in order to ensure success for future years; and, is ready to proudly introduce the 2013 West Amwell Township budget.

CFO Tom Carro added that both the Court and Building departments brought in good revenue in 2012 which helped the surplus. Of the \$900,000 in available surplus, \$400,000 is being used. Ordinarily he would not recommend using this much surplus; however, the open space fund is healthy and the re-fi was a good move.

Tom Molnar relayed that as of earlier today he was against the budget as proposed due to the amount of surplus being used, but has since made several calls and has received assurances from the CFO that the budget as presented is workable. He credited Mr. Fisher for laying the foundation for today's successes, noting the flip charts that were employed at the time. That being said, Mr. Molnar indicated that he's good with what has been presented for the 2013 budget.

Municipal Budget of the Township of West Amwell, County of Hunterdon for the Fiscal Year 2013

Be It Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2013;

Be It Further Resolved, that said Budget be published in the Hunterdon County Democrat in the issue of May 2, 2013

The Governing Body of the Township of West Amwell does hereby approve the following as the Budget for the year 2013:

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building, on the May 22, 2013 at 7:00 p.m. at which time and place objections to said Budget and Tax Resolution for the 2013 may be presented by taxpayers or other interested persons.

SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET

General Appropriations For:

1. Appropriations within "CAPS"	
(a) Municipal Purposes	\$ 2,427,014.00
2. Appropriations excluded from "CAPS"	
(a) Municipal Purposes	\$ 746,841.00
Total General Appropriations excluded from "CAPS"	\$ 746,841.00
3. Reserve for Uncollected Taxes	\$ 255,000.00
4. Total General Appropriations	\$ 3,428,855.00
5. Less: Anticipated Revenues Other Than Current Property Tax	\$ 2,273,292.87
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget	
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	\$ 1,155,562.13

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

Introduction: Ordinance 4, 2013

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

AN ORDINANCE PROVIDING FOR THE FUNDING OF THE TOWNSHIP'S SHARE OF THE COST OF THE ACQUISITION OF A PARTIAL INTEREST IN FEE SIMPLE OF CERTAIN REAL PROPERTY KNOWN AS BLOCK 29, LOT 16 IN AND BY THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND APPROPRIATING \$45,000.00 FROM THE OPEN SPACE TRUST FUND OF THE TOWNSHIP OF WEST AMWELL.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON, NEW JERSEY, as follows:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general improvements to be made or acquired by the Township of West Amwell, New Jersey. For the said improvements or purposes described in Section 2 there is hereby appropriated the sum of \$45,000.00 said sum being inclusive of all appropriations heretofore made therefore.

Section 2. The Township of West Amwell is hereby authorized to fund the township's share of the cost of the acquisition of certain real property known as Block 29, Lot 16 as part of the Open Space Program, including all related costs and expenditures incidental thereto.

Section 3. It is hereby determined and stated that the undertaking of the aforesaid work, acquisition or improvement is not a current expense of the Township of West Amwell, but rather a capital expense and estimated cost of said work, acquisition or improvement of said purpose is \$45,000.00.

Section 4. The sum of \$45,000.00 is therefore appropriated for said purpose. The funding is provided by appropriating \$45,000.00 from the Open Space Trust Fund of the Township of West Amwell for said purpose as required by law and now available in one or more previously adopted budgets of the Township of West Amwell.

Section 5. There is no debt authorized for this improvement or purpose.

Section 6. The Mayor, Deputy Mayor, Township Clerk, and Township Attorney, as the case may be, are authorized pursuant to N.J.S.A 40A:12-1 et seq., and any other applicable law, to prepare and sign any and all necessary documentation to effectuate the township's share of the cost of the acquisition in fee simple of the property known as Block 29, Lot 16, including, but not limited to, any agreements and amendments thereto and any closing documents needed to complete the purchase.

Section 7. This ordinance shall take effect immediately upon adoption according to law.

Hal Shute noted that the CMV was received today and came in at over \$450,000. As the contract is for \$425,000, this gives the Township an opportunity to reduce the cost as \$45,000 is the maximum number. Once the numbers are sorted out, he will report back as it may be that the project can be completed at no cost to the Township.

Molnar moved to introduce the Ordinance on first reading and Rich seconded. Motion carried unanimously. The public hearing will be held May 13, 2013.

STANDING COMMITTEE REPORTS

Open Space

- *Authorization to Post March 12, 2013 Minutes to Website:* Approved
 - *Township Property Sign:* Cathy Urbanski presented the proposed sign for posting Township properties. The department of Fish & Wildlife has been contacted and, with the addition of 'fishing is permitted in the Alexauken Creek,' are on board with it. The sign will measure 11 ¼ x 11 ¼ and be yellow with black letters.
 - *Trail on Municipal Property:* Mrs. Urbanski relayed that the property has been walked and a 10' perimeter marked. Before proceeding further, members Hal Shute, George Fisher, and Laurel Hills need to review it.
 - *Project Status Updates:* Mr. Shute reported that the principles for **Toll N** have promised the County that an option agreement would be received by tomorrow. Noting the length of time that this is taking, he questioned County personnel about a possible flow chart. They in turn produced a checklist showing 65 steps, explains why projects take years to accomplish. Mr. Shute is hopeful that there will be a contract by the end of the year and will be for an easement purchase only.
- The DPW staff is currently working on the tree project at the former **Toll S** property.

Environmental

- *Authorization to Post March 14, 2013 Minutes to Website:* Approved
- *Stormwater Inserts:* Mrs. Urbanski presented a sample of the inserts printed by the County. These will be included with the new tax bills as part of the required education of residents about stormwater. The cost of printing 1500 color inserts was \$100.

Aq Advisory

- *Authorization to Post March 7, 2013 Minutes to Website:* Approved

Recycling

- *Tonnage Grant and Tonnage Tax Resolutions:* Mrs. Olsen relayed that tonnage numbers have now exceeded those of 2011, which has made the deputy clerk exceedingly happy.

RESOLUTION #73-2013

TONNAGE GRANT APPLICATION RESOLUTION

- WHEREAS,** The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and
- WHEREAS,** It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and
- WHEREAS,** The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the **2012 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the West Amwell Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Township Committee of West Amwell Township that West Amwell Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Alan Dilley to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Resolution offered by: Zach Rich

Resolution certified by: Lora L. Olsen, RMC

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

RESOLUTION #74-2013
TAX IDENTIFICATION STATEMENT

WHEREAS, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the TOWNSHIP OF WEST AMWELL that TOWNSHIP OF WEST AMWELL hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2012 in the amount of \$1,035.27. Documentation supporting this submission is available at OFFICE OF THE CLERK, WEST AMWELL TOWNSHIP MUNICIPAL OFFICES, 150 ROCKTOWN-LAMBERTVILLE ROAD, LAMBERTVILLE, NEW JERSEY 08530 and shall be maintained for no less than five years from this date.

REA Tax certified by: Thomas J. Carro, CFO

Name of official: Zach Rich

Title of official: Mayor

Date: April 24, 2013

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

- *Electronics Recycling Trailer.* Mr. Molnar stated that a container should arrive within a couple of weeks and there is no cost involved. Road Supervisor Hoagland will make this happen and the container will be here permanently.

- *Recognition of Eagle Scout Project.* Although the shed and announcement board are in place, Mr. Tomenchok relayed that there's still paperwork requiring a sign off. There was

concurrence that once everything is tied up, Mr. Cally be asked to attend a Township meeting for appropriation expressions of appreciation.

Community Forestry

- *Project Status Update*: Gary Robinson was not in attendance. Item held.

UNFINISHED BUSINESS

Possible Appointments – David Clapp was appointed to a 2 year unexpired term as Alternate #2 on the Environmental Commission. The appointment was unanimously approved.

The Township is still searching for a liaison for the County's 300th celebration. A couple of names were floated but Township Historian Ruth Hall will be contacted for a recommendation.

Updates – 1) The new **website** is in Qscend's queue. Mr. Beaumont offered to place a call as a follow up. It was noted that there have been no updates to the current site and this may be problematic in that Qscend had planned just to move the current to their platform. This delay on the part of Qscend was not anticipated. 2) Three applications have been received for the **MHL/AA** opening. Item held. 3) Attorney Faherty is in receipt of the deed to **83 Belvidere** and has it under review. If all is well, he'll give the nod to Attorney Buchanan to proceed. The property is being given to the Township in lieu of back taxes. The intent is to demo the structure but a partial basement will make things more difficult. The property is currently fenced and appropriate signage in place. 4) A reassessment of the **United Water** property does not look promising, per the mayor. 5) Hiring a new consulting engineer now that Birdsall is out was discussed at the recent **SHREC** meeting. Mr. Shute relayed that there was talk of sending out a RFP when a letter arrived from Swan Creek asking for a delay of another 60-90 days due to financial problems. The RFP was held and Swan Creek given to July 1st to being or else. If the project moves forward, our township engineer will step in. 6) The Census Bureau has seen the light on our **2010 census count** thanks to the information submitted by Mercer County. Kudos were extended to George Fisher for sticking with this. The corrected population for West Amwell now stands at 2842. It is unfortunate that this information wasn't timely enough to avoid the Township being placed into Trenton with the gerrymandering of legislative districts. Mr. Rich noted that this correction in population has also resulted in a \$5000 insurance premium reduction from PAIC. 7) *Use of the* **South county fuel depot** has been approved by the Freeholders and keys have been distributed to both the Roads and Police departments. As the lights are off at night at the depot due to previous complaints from neighbors, an offer was made to install a light switch for the island. Captain Bartzak has relayed that it is not a good idea to fuel up cars in the dark and indicated that the best solution would be to install a motion sensor set to activate the lights for ten to fifteen minutes. The Committee agreed with this assessment and the County will be so advised. Allied, our current supplier, has to be notified to stop delivery to the DPW yard.

Resolution to Hold Online Auction of Surplus Equipment – Pictures of the inside of the vehicle are needed as well as a current odometer reading. Mr. Molnar advised that the battery dead. Also, the vehicle has 4 new tires and this information needs to be included in the description.

RESOLUTION#75-2013

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; 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:

- 2007 Dodge Durango 4x4 Sport Utility VIN: 1D8HB38P57F568561

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; 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 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 Molnar, seconded by Rich.

NEW BUSINESS

Resolutions for Consideration–

- *Supporting A-3393 Protecting Taxpayers from Loss of Telecommunications Tax Support*

RESOLUTION #76-2013

RESOLUTION IN SUPPORT OF A-3393, LEGISLATION TO PROTECT RESIDENTIAL PROPERTY TAXPAYERS FROM THE LOSS OF TELECOMMUNICATIONS TAX SUPPORT

WHEREAS, in 1997, at the request of incumbent utilities, the laws regarding State taxation of telecommunications corporations were amended in response to technological and market innovations, in order to increase competition; and

WHEREAS, the amendments sought to preserve revenues to local governments by providing that local exchange telephone companies subject to the New Jersey Franchise and Gross Receipts Tax on April 1, 1997 would continue to be subject, annually, to the Business Personal Property Tax ("BPPT"); and

WHEREAS, the statute defines local exchange companies as those telecommunications carriers "providing dial tone and access to 51% of a local telephone exchange"; and

WHEREAS, Verizon's self-serving interpretation of the statutory definition has led it to claim exemption from the BPPT in any municipality where the corporation unilaterally determines, in any given year, that it no longer supplies dial tone and access to at least 51% of the local telephone exchanges; and

WHEREAS, Hopewell Borough's challenge to that claim was upheld by the Mercer County Board of Taxation in 2009; and

WHEREAS, Verizon's appeal of that determination to the Tax Court resulted in a June, 2012 trial court decision accepting the corporation's self-serving interpretation of the law; and

WHEREAS, as things now stand, over 100 municipalities know that they enter 2013 without BPPT revenues that will cost property taxpayers well in excess of \$8 million and, unless matters change, more municipalities will lose more millions in the future; and

WHEREAS, remedial legislation (A-3393) has been introduced by Assemblyman Ralph Caputo, which will clarify the perceived ambiguity of the statutory definition to further implement the original legislative intent to preserve revenues to local governments; and

WHEREAS, we anticipate the introduction of companion legislation by Senator Bob Smith, as soon as the Senate next convenes;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of West Amwell Township commends Assemblyman Caputo and Senator Smith and strongly supports A-3393, which would clearly identify the telecommunications carriers subject to taxation on their business personal property and remove the budget uncertainty caused by Verizon's obfuscation; and

BE IT FURTHER RESOLVED, that we urge our State Senator and our representatives in the General Assembly to join as co-sponsors of A-3393 and its companion bill; and

BE IT FINALLY RESOLVED, that copies of this Resolution be forwarded to the Honorable Governor Chris Christie, the Honorable Speaker of the General Assembly Sheila Oliver, the Honorable President of the State Senate Stephen M. Sweeney, the Honorable Assembly Republican Leader Jon Bramnick, the Honorable Senate Republican Leader Thomas H. Kean, Jr., and our own State Senator and Representatives in the General Assembly, and to the New Jersey State League of Municipalities.

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

- Supporting S-1896/A-1503, Sharing Burden of Property Assessment Appeal Refunds

RESOLUTION #77-2013

RESOLUTION SUPPORTING S-1896/A-1503 SHARING THE BURDEN OF PROPERTY ASSESSMENT APPEAL REFUNDS

WHEREAS, when County Tax Board appeals are successful, the municipality must reimburse the property taxpayer 100% of the appealed tax levy, which includes the municipal, school, county and any special districts tax; and

WHEREAS, the municipal tax collector must then adjust the taxpayer's fourth quarter tax bill, resulting in the municipality's fund balance for the preceding year being diminished, if not completely depleted; and

WHEREAS, in recent years, municipalities have experienced a large spike in tax appeals caused by the economic down-turn, which lowered property values and placed increased stress on the income of homeowners all around our Garden State; and

WHEREAS, successful tax appeals have a four-fold negative impact on municipal budgets; first by requiring the municipality, as the collector of taxes for the School district, county and special districts, to fund the full cost of the legal defense of the assessment; and

WHEREAS, the second negative impact on municipal budgets results from State law, which guarantees to the county and the school district 100% of their levies, hence forcing the municipality to bear the full cost of any reimbursements resulting from the appeal, as well as the full burden for any uncollected taxes; and

WHEREAS, the third negative impact on municipal budgets ensues because the refunds and credits negatively impact the municipality's tax collection rate, resulting in a State required increase in the appropriation for the Reserve for Uncollected Taxes (a non-exempt from cap budget expenditure); and

WHEREAS, fourth, the end result is a further decline in the property tax base used to support municipalities, county governments, school systems and any fire or other special purpose districts, which will necessitate tax rate increases to raise the same amount of revenue; and

WHEREAS, in light of the revenue limitations that have been placed on all levels of local government by the Legislature (2% cap), such declining values will compound and add additional stress to local public officials, as they grapple with the issues confronting the tax paying public.

WHEREAS, Senator Anthony R. Bucco, Assemblyman Michael Patrick Carroll and Assemblyman Anthony M. Bucco have recently introduced Senate Bill S-1896/Assembly Bill A-1503, which requires fire districts, school districts, and county governments to share in burden of property assessment appeal refunds;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell hereby urge the swift passage and signing of S-1896/A-1503; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

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

- National Police Officer Week

RESOLUTION #78-2013

WHEREAS May 12th through 18th is National Police Officer Week; and

WHEREAS, May 15th is "Law Enforcement Officers Memorial Day" as so legislated by the federal government; and

WHEREAS, the people of West Amwell hold their police officers in great esteem and value their local police force as an essential part of their community; and

WHEREAS, the purpose of this designation is to generate increased public support for the law enforcement profession by permanently recording and appropriately commemorating the service and sacrifice of law enforcement officers and to provide information that will help promote law enforcement safety; and

WHEREAS, this legislation requires that all American flags be lowered to half-staff on May 15th in commemoration of this service and sacrifice

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the week of May 12th through 18th is hereby declared as National Police Officer Week in West Amwell Township; and

BE IT FURTHER RESOLVED that all municipal flags be lowered to half staff on Law Enforcement Officers Memorial Day on May 15th

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

Mr. Molnar noted that the County Fair will be held on May 18th and the new policemen are to be in attendance for introduction to the community.

- Opposing S-2/A1171 Shared Services

RESOLUTION #79-2013
Resolution Opposing S-2/A-1171

WHEREAS, S-2/A-1171 are meant to promote the more effective operation of local government and sharing of services among local units and

WHEREAS, initially S-2 removed or reduced many of the roadblocks that increase the costs of shared services – things like terminal leave, pay, civil service mandates, employee tenure requirements – many of the original provisions in the bill could reduce the costs and hurdles to shared services and consolidations, produce municipal savings and promote relief for our taxpayers; and

WHEREAS, the recent amendments to S-2 removed many of the labor provisions that would have given municipalities tools to implement a shared service without the time consuming hurdles that diminished the savings and will now discourage shared services from a municipalities' perspective by continuing the hindrances imposed by Civil Service; and

WHEREAS, the amendments removed not only the preamble language that the bill would "supersede existing Civil Service and tenure provisions" but also removed the suspension of Civil Service rules regarding layoff, transfer, seniority, testing, bumping rights and tenure; and

WHEREAS, the amendments would now require that any non civil service municipality who has a shared service agreement with civil service municipality serving as the Lead Agency be brought into the civil service system, thus expanding the civil service system; and

WHEREAS, the amendments would require that municipalities entering into the shared service agreement be subject to civil service rules and collective bargaining agreements for determining which employee stays, protects the seniority provisions removing management prerogative on retaining the best qualified and most efficient work force; and

WHEREAS, the amendments would require that any contractual provision dispute be settled by mediation, or if necessary, arbitration which will impede the process from moving expeditiously and will not result in cost savings, which will likely result in mediation and arbitration becoming the norm thus leading to delays and additional cost; and

WHEREAS, S-2 would, on the one hand, allow the voters to express their will; but on the other hand, inform those voters that they will lose their State Aid if their will does not comport with that of a majority of the appointed members of the Local Unit, Realignment and Consolidation Commissioner, (LUARCC); and

WHEREAS, while we appreciate the consideration and acceptance of the amendments that would clarify the process, on balance, the benefits of those amendments are outweighed by the lose of the suspension of the Civil Service rules and regulations; and

WHEREAS, S-2/A-1171 is based on the misconception that municipalities do not share services when in fact shared Services are not a new concept to municipalities, dating back well before the Interlocal Services Act of 1973;and

WHEREAS, S-2/A-1171 is also based on the misconception that smaller governments are less efficient and effective than larger ones, an assumption that is not necessarily the case and contrary to lessons learned from recent events in which the municipal elected officials and professionals were very effective in pooling their resources and responding quickly; and

WHEREAS, there is no overnight cure to our property tax crisis and Shared services, consolidation or other cost saving measures are long-term actions where benefits/savings may not be seen for a number of years down the road;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of West Amwell, in the County of Hunterdon strongly opposes S-2/A-1171 not only on the issue of the voter penalty but on the lose of the Civil Service reform; and

BE IT FURTHER RESOLVED that S-2/A-1171 be reviewed by the Red Tape Review Commission, which has tirelessly worked to remove government hurdles, and the Civil Service Commission before the bill proceeds to ensure that the proposed amendments do not create additional Civil Service burdens and hurdles that further impede shared services and drive up cost; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators and the League of Municipalities.

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

- Supporting Sustainable State Funding for Preservation and Stewardship of Open Space, Parks, Farmland and Historic Sites: A similar resolution was adopted last November but Committeeman Fisher requested that it be considered again.

**RESOLUTION #80-2013
Resolution Supporting Sustainable State Funding for Preservation and Stewardship
of Open Space, Parks, Farmland and Historic Sites in New Jersey**

WHEREAS, New Jersey has a long and successful history of preserving open space, parks, farmland, and historic sites; and

WHEREAS, the Green Acres program has helped to preserve over 650,000 acres of land and supported more than 1,100 park development projects over the past 50 years, and the state Agricultural Development Committee has preserved 200,000 ; and

WHEREAS, all remaining funds for these programs under the Green Acres, Water Supply and Floodplain Protection, Farmland and Historic Preservation Bond Act of 2009 were fully allocated by the end of 2012; and

WHEREAS, municipalities across the Garden State have been direct beneficiaries of, and partners to, these critical state preservation programs; and

WHEREAS, substantial unmet needs remain for additional land and water protection, park development, and farmland and historic preservation, for the health and welfare of all our communities and residents; and

WHEREAS, it is imperative that a sustainable state funding source be established in order to sustain open space, farmland, and historic preservation programs beyond the 2009 Bond Act;

NOW, THEREFORE, BE IT RESOLVED, that the Township of West Amwell hereby expresses support for the establishment of a sustainable state funding source for these purposes; and

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the New Jersey State League of Municipalities, Senator Shirley Turner and Assemblywoman Bonnie Watson Coleman and Assemblyman Reed Gusciora, the members of the Senate Environment and Energy Committee, the Assembly Environment and Solid Waste Committee, the Commissioner of the Department of Environmental Protection, the New Jersey Secretary of Agriculture and the Governor of the State of New Jersey.

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

A-2753 Energy Tax Receipts Bill & Impact Calculation Chart – An updated chart was presented and is attached.

Receipt/Approval/Execution of Contract with Police Captain – The mayor was authorized to execute a new three year contract with Captain Bartzak on motion by Molnar, seconded by Rich.

Summer Help for Mowing Operations – Item held.

West Amwell PTO

- *Raffle Application for Basket Raffle*

RESOLUTION #81-2013
Basket Raffle

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 regular meeting.

NOW, THEREFORE BE IT RESOLVED that the raffle license be granted

TO: PTO of West Amwell School
BENEFIT: The West Amwell Township Elementary School and its children
thru enrichment programs and family oriented activities
DATE: May 17, 2013
TIME: 6:00 – 9:30 p.m.
LOCATION: South Hunterdon Regional High School
301 Mt. Airy-Harb. Road, Lambertville NJ 08530

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

- *Findings & Determination:* This was presented for review and subsequently approved.

- *Raffle Application for 50/50*

RESOLUTION #82-2013
50-50 Raffle

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 regular meeting.

NOW, THEREFORE BE IT RESOLVED that the raffle license be granted

TO: PTO of West Amwell School
BENEFIT: The West Amwell Township Elementary School and its children
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The Resolution was unanimously approved on motion by Molnar, seconded by Rich.

- *Findings & Determination:* This was presented for review and subsequently approved.

OPEN TO THE PUBLIC

Mr. Shute relayed that not much progress has been made on community aggregation and that he is confused whether this will be through SHREC or done by individual entities. As this program is population driven for best price, it appears that this would be best accomplished through the SHREC. Also noted was that Delaware Township has given a verbal okay for possible participation. Mr. Shute also commented that a Swan Creek-type rate could possibly be obtained in this fashion.

ADMINISTRATIVE REPORTS

Treasurer –

RESOLUTION #83-2013

WHEREAS, it has been determined by the Township Committee of West Amwell Township that the remainder of the following applicant's posted cash bonds can be released; and

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
Orleans Homes	\$ 5000.00

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

RESOLUTION #84-2013

Resolution Approving Emergency Temporary Budget Appropriations
SEE ATTACHED

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

Presentation of Bills for Approval: Mr. Molnar had a comment on the good price received from Maser on generation specs and George Washington Road work. He then questioned the Palilonis bill and was advised that this is for 2012 work as noted in the last budget workshop. It was paid out of the reserve. As for the Van Cleef bill, the Board of Adjustment still uses the firm.

RESOLUTION #85-2013

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 \$1,686,747.00 (plus an addendum of \$9.86 to pay for a BOH Re-org notice in the Trenton Times) dated April 24, 2013, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations.

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

Treasurer Report: Appropriations through April 23, 2013 were provided and reviewed.

Tax Collector – The monthly report for March 2013 was received showing receipts in the amount of \$98,219.59.

A statement required to be filed by May 1st for properties with uncollectible taxes from 2012 contained the following Township owned properties: Block 8 Lot 20 Q0060 (\$276.94); Block 8 Lot 36 (\$6,076.09); and, Block 8 Lot 36 Q0060 (\$847.39).

Court – The March 2013 monthly report was received showing a ticket total of 386 (304 local) and the receipt of \$15,015.49.

Zoning Officer Report -- The March 2013 report of activities was received. Numerous phone calls, e-mails, office visits and interpretations were noted. Five permits were issued.

The reports were unanimously accepted as filed.

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 8:25 p.m. on motion from Molnar.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk

APPROVED: May 13, 2013