

SPECIAL WEST AMWELL TOWNSHIP COMMITTEE MEETING

February 16, 2011 – 5:30 p.m.

The West Amwell Township Committee met on the above date at 5:42 p.m. Present: Mayor Molnar, Committeemen Fisher and Rich (5:50). Also present were Chris Rose, David Gill and Regina Taylor.

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 February 8, 2011. 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.

DISCUSSION WITH CONSTRUCTION & ASSESSMENT DEPT HEADS:

This meeting was to find a solution to the situation that has caused a flurry of e-mails—open permits and lack of inspections being logged into the system. Assessor Gill expressed concern that there are a number of permits dating back several years that have not been closed out and not all inspections are being entered into the computer. Without an inspection date and CO, assessments on these properties, which translates to money for the township, is delayed or challenged. Entering inspections dates should be the responsibility of the individual sub-code officials, not the Technical Assistant, who received praise for her efforts.

Construction Official Rose relayed that the problem with computer entry of inspections in NJPermits has been addressed with the sub-code officials but noted that computer access is problematic, especially on Tuesday evenings when the Zoning Official has hours. Letters have been sent out and some permits have been closed. However, the difficulty of getting homeowner cooperation and the fact that ownership may have changed hands was cited. The office tries to work with homeowners that are in violation of the Code by trying the gentle approach first as they do not want DCA to get a lot of complaints about violation notices. Compounding the inspection issue is that prior to 2005, the Township had a third party agency for inspections and sign offs on permits were not done. Residents are coming in with stickers in response to the letters, which looks bad.

A discussion of the permit process and specific problems, like COAH assessments, computer access and how to proceed now that the problem has been identified, ensued. Lack space in the Construction office and the need to store permits for the life of the structure was noted. It was suggested that the computer in the small meeting room be used to help with the inspection entry situation. Letters and violation notices targeting open permits with bigger dollar numbers will be given priority in mailings. As for the letters that are sent out concerning the type of inspection needed, subsequent notices of violation should include the consequences of non-response.

Ms. Taylor relayed that she is currently picking at a list of additions to be closed out but noted that the office doesn't know when a property is sold; that the Fire Official was catching some of this; and, that they may not even have a file on the permits given. A list of permits to be closed out where no entry is required has been distributed but permits requiring entry for a CO must have notification letters sent out. Mr. Rose offered that the department can get approximately one-quarter of the list closed out within the next year. This direction was acceptable to Mr. Rich with Mr. Fisher requesting that the close out of the open permits provided be tracked.

On a related topic, the issue of census numbers was raised. Township population has purportedly risen 61% in 10 years. Mr. Fisher questioned how to determine the number of new homes built over the last ten years as this information is needed in order to fight the matter. The census number will also affect COAH and SHR funding allocations. Mr. Gill will provide the information requested, which was estimated to be around 241 houses, and Mr. Rose suggested that school enrollment also be looked at.

The tax map situation with the Lucarini subdivision was broached. Mr. Gill explained that the subdivision was erroneously placed on the map as no sub-division was perfected. There has been more than one charge for review on this subdivisions and the matter has been a nightmare. The Clerk was instructed to contact the Township Engineer and request that this problem, which has resulted in a lack of notification to a certain property owner, be corrected without charge.

There's a property on Route 31 in the Township that was hit by a truck several years ago and initially had Health Department involvement. Mr. Gill advised that the neighbor has received a reduced assessment due to the situation which means less money for the Township. Mr. Rose relayed that an unsafe structure notice was sent out but that the return receipt has not been received. Mrs. Olsen advised that there's a new owner – Royal Tax Lien Services—and that the house may be located in the New Market Historic District, which could be a complication.

Mr. Rose relayed that Munds has been sent one last notice prior to a summons for their outdoor kitchen/entertainment structure.

Mr. Rich questioned whether Block 39 Lot 4.01 on Connaught Hill is build-able as it is currently listed for sale. He was advised to speak with the Zoning Official.

A question of whether there is tenure for sub-code officials that occurs with a second appointment was raised. Mr. Rose will obtain the specific citation.

REVIEW OF CHAPTER 104 – HOUSING ORDINANCE RESPONSIBILITY:

Two complaining tenants were referred to the Township by the County Health Department, citing Township responsibility due to the adoption of the State Housing Code. The complaints concerned rodent infestation and no heat, hot water or stove. The Construction Official is named in the Township ordinance as the enforcing officer but Mr. Rose stated that the ordinance is out of date; this is not within his duties under the Uniform Construction Code; and that the UCC supersedes any township ordinance. However, according to County Health this is not the case and the duties would fall to the building sub-code official, who is under the direction of the Construction Official. Mr. Rose offered that an unsafe structure notice to the owner would fall under his jurisdiction and would require the owners to obtain an engineering report prior to making repairs. If a property maintenance code were to be adopted, i.e., a CCO program, that would be different and the construction office would then have authority. No further action taken.

OPEN TO THE PUBLIC:

There was no public in attendance.

ADJOURNMENT:

There being no further business, the meeting was unanimously adjourned at 6:52 p.m. on motion by Molnar, seconded by Rich.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk