

SPECIAL WEST AMWELL TOWNSHIP COMMITTEE MEETING

June 23, 2010 – 7:00 p.m.

The West Amwell Township Committee met on the above date at 7:05 p.m. Present: Deputy Mayor Masterson and Committeeman Fisher. Mayor Molnar had a scheduling conflict.

In compliance with the Public Meetings Act, Deputy Mayor Masterson 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 June 2, 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.

PUBLIC HEARING: 2010 West Amwell Township Budget

The Clerk was requested to read the following message from Mayor Molnar into the record:

First of all I apologize for not being here this evening, as my daughter is graduating from South.

This year's budget was the most difficult of all of the budgets that I have worked on in the last few years. As I have stated on the web site, this year's budget was a perfect storm--lack of State aid, increased fixed costs, and decreased revenue. The township committee, CFO and Clerk worked long and hard to arrive at these numbers. I would like to once again thank all of the employees for their extreme sacrifices. We are already starting to get numbers together for next year's budget. We hope to not be faced with the problems that we have had to deal with this year. Our Finance committee has already stepped up to the plate with some suggestions for next year. A few residents have expressed interest in doing a letter writing campaign to our legislators in Trenton. These residents have my permission and encouragement to do so. However, I do not feel that this will work this year. Hopefully, in the future, we will have a better early grasp on the budget situation and won't be given a raw deal from Trenton. Thank you for your attendance and interest in the workings of our township.

RESOLUTION #95-2010

WHEREAS, the 2010 Budget of the Township of West Amwell was introduced on May 20, 2010 and advertised on June 3, 2010; and

WHEREAS, N.J.S.A. 40A:4-8 states that the budget, as advertised may be read by title only if at least one week prior to the public hearing the approved Budget as advertised shall be posted where public notices are customarily posted and copies made available to each person requesting same; and

WHEREAS, the above requirements have been complied with;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell, assembled in public session this 23rd day of June 2010, that the 2010 budget be read by title only as provided by N.J.S.A. 40A:4-8.

Fisher motioned to adopt and Masterson seconded. Resolution unanimously approved.

Proof of Publication in the June 3rd issue of the Hunterdon County Democrat was presented. The public hearing was opened for comments.

Bill Corboy commented that his review of the budget found that cuts were made to everything possible to be cut. He noted that there's a slight increase to the tax for local purposes rate due to loss of State aid, less revenue and that fact that surplus is down. CFO Luhrs relayed that the increase amounts to 2.6 cents; presented the dollar numbers lost in State aid and diminished surplus available this year; and, that the result was a budget cut from \$3.4 million last year to \$3 million this year, almost \$400,00 was cut from the budget. Mr. Corboy then questioned why the Committee sought restoration of Township funds with the DCA Commissioner and how this meeting came about. He also asked whether contact was made with the legislative bodies, e.g., the Senate finance committee, and noted that revenues were lost twice before—once in the 1990's and then again two years ago—and that both times the revenues were restored, but only by going thru the legislature. Mr. Corboy inquired whether the Committee's plan for next year is to gain access to the legislature to restore revenues, as they are the only ones who can, or if they have given up on receiving the money next year. Mr. Fisher relayed that letters were sent to the two local Assemblymen and the Senator, the Governor and the DCA Commissioner.

enjoining the Township in a suit with other municipalities against the Governor. This has not been discussed here, and it may not go anywhere, but he has been talking with the mayors of Robbinsville and one of the Windsor's who wrote the article in League magazine about what other municipalities can do to push and Dave Fry suggested that the Township get involved in a suit with as many municipalities as possible. The League, however, is not yet involved.

Mr. Corboy continued by urging that the League of Municipalities be brought on board with any suit. He also noted that the original legislation that took the revenues away from the respective municipalities had a 'poison pill' provision that if reneged on would revert back to the municipality the power to tax AT&T, Verizon, etc. He acknowledged that something like this would take time to put together but if the Township were to enter into a compact, this is an item to be addressed. Mr. Corboy then inquired about Finance committee ideas and offered one of his own. There are many lots throughout the Township that are not appraised as building lots, but as just lots, and their value is considerable less than those with an improvement or that have gone through the subdivision process and the requirements thereof. They were appraised that way because the assessor back then was told by the owner that they could not get perc; were subsequently deemed unbuildable; and, taxed at a considerably different rate. In 1995, all requirements changed and there are now very few lots in West Amwell that cannot get a perc test. The point of this observation is that now when the owner sells and a new owner comes in sometime later for a building permit, after miraculously getting a perc test, the Township has missed years of taxing the value of the lot. Farmers are charged a roll back when farm-assessed land is sold for development, but this is not done with these lots. Therefore, other homeowners and farmers are subsidizing lots that are not equitably appraised. Mr. Corboy acknowledged that he doesn't know just how many lots there are in the Township but knows that there are quite a few around him. He suggested that the Tax Assessor be asked to look into this as the Township may be surprised with the value that is being missed as well as the resultant taxes. Assessor Gill will be consulted.

Bob Abitz questioned the preceding suggestion as it would result in a lot of selling which would mean developers would come in. Mr. Corboy noted that the point is well taken but an inequity exists. The lots in question were not created through a subdivision process which would have resulted in taxes of around \$150,000 vs the \$30,000 on these 'other' lots. The Code/ordinance needs to be looked at, as this is not something just in West Amwell, and a roll-back tax like that used in farmland assessed property sold for development implemented.

Mr. Abitz inquired about the busing reimbursement. He relayed that his children attend school in Pennsylvania, not New Jersey, but that he pays property tax; doesn't use the busses; but, has been informed that he will not receive reimbursement this year. Mr. Fisher stated that this is not something handled by the Township Committee and Clerk Olsen relayed a conversation with the transportation coordinator on this topic. This is considered 'courtesy' busing; is not required of municipalities of this size; and, has been discontinued by area schools. The Department of Education information on the subject will be forwarded.

Sean Pfeiffer expressed appreciation to the Committee for their time and the hard decisions that were involved in the budget process. He proceeded to offer his prospective on the loss of revenue. Although the Governor's office indicated that a letter writing campaign would not help, two years ago the former governor took the same stance. He noted that it is not the Governor who calls the shots on this but the Legislature, stating with Senate and Budget committees. It is too late this year as the State is about to adopt the budget, but he urged that this route be considered for next year. Also relayed was that \$300,000 is a considerable number for the size of the Township; translates to \$300 per household each year going forward; and that the revenue which was withheld is in fact replacement revenue for infrastructure in the Township and is due the Township. An analogy was offered in that Quick Check has a \$30,000+ assessment of which the Township receives 10%. A total of 100 such facilities would be needed to make up the lost revenue, if there were no impact on services. As this is a lot of revenue to make up, he encouraged the Committee to speak with other affected municipalities seeking to get money back and noted that the League had some information in a newsletter about the statutory basis on the telecommunications money, so there may be a legal basis to pursue.

Hal Shute commended the CFO and Township Committee for a fantastic job with the budget given the circumstances. He then questioned the \$420,000 number on the website, noting that it was more like \$470,000 less than 2009. Mr. Shute also noted that there's a 12 to 13% reduction in expenses between 2009 and 2010; that taxes will be going up even with the big cut;

but, services have not been cut. He is hopeful that the budget 'sticks' and encouraged the Committee to keep track of it.

Mrs. Luhrs offered that the Township is still operating on a temporary budget but that, with a couple of tight spots, it is in line. This is good in that we've survived the winter snow storms and are half way through the year. Also, legal costs are way down.

Hearing no further comments, the public hearing was unanimously closed on motion from Fisher, seconded by Masterson.

The following was read into the minutes:

RESOLUTION #96-2010

Be it resolved by the Township Committee of the Township of West Amwell, County of Hunterdon, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the account of:

- (a) \$1,170,246.74 for municipal purpose; and
- (d) \$ 322,700.00 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

SUMMARY OF REVENUES

1. General Revenues	
Surplus Anticipated	\$ 150,000.00
Miscellaneous Revenues Anticipated	\$1,603,253.62
Receipt from Delinquent Taxes	\$ 141,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES:	\$1,170,246.74
 Total Revenues	 \$3,064,500.36

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS	
Within "CAPS"	
(a&b) Operations including Contingent	\$1,864,546.00
(e) Deferred Charges and Statutory Expenditures-Municipal	136,972.53
Excluded from "CAPS"	
(a) Operations – Total Operations Excluded from "CAPS"	\$ 131,728.23
(c) Capital Improvements	\$ 100,000.00
(d) Municipal Debt Service	\$ 640,473.60
(e) Deferred Charges – Municipal	\$ 21,500.00
(m) Reserve for Uncollected Taxes	\$ 169,280.00
 Total Appropriations	 \$3,064,500.36

Fisher motioned to adopt the Budget Resolution and Masterson seconded. The motion carried unanimously.

Holly Abitz raised a personal concern over speeding on Rock Road West, stating that she was almost killed today and that they recently lost their dog. She also inquired about signs due to the amount of children in the area, specifically requesting something like 'slow down, children in area.' The physical condition of the road was also raised. Mr. Fisher relayed that the road is used as a short cut to 518 from Mt. Airy-Harbourton; recommended that the police be contacted to step up enforcement of the 30 mph speed limit; that Mrs. Abitz write down the license plate numbers; and, call the police. As for road repairs, Mr. Fisher noted that he had thought to apply for grant money but received a push-back from residents as this would just make for faster traffic. Road Supervisor Hoagland will be contacted about signs but it was noted that certain signs are no longer recommended for use by the DPW Association.

LIQUOR LICENSE RENEWAL:

RESOLUTION #97-2010

WHEREAS, the notice of intention to apply for a renewal of a Plenary Retail Consumption License was duly received by the Clerk of the Township of West Amwell in accordance with the rules and regulations as set forth by the Division of Alcoholic Beverage Control

BE IT RESOLVED by the Township Committee of the Township of West Amwell pursuant to an

act entitled "An Act Concerning Alcoholic Beverages" passed December 6, 1933 and amendments thereof and supplements thereto is hereby authorized to issue a license for the sale of alcoholic beverages in the Township of West Amwell, subject to the conditions prescribed in an Ordinance of the Township of West Amwell dated March 1, 1963, amended February 21, 1969, October 5, 1978, April 2, 1981, February 3, 1983, August 18, 1999, April 18, 2001, April 3, 2002, October 19, 2005, July 19, 2006 and further amended on March 7, 2007.

BE IT FURTHER RESOLVED that, subject to the aforesaid conditions, the following Plenary Retail Consumption License be granted, the fee being \$2500.00 per year, effective date being July 1, 2010, Vinesse Corp. of 19 Pine Hill Road, Stockton, NJ 08559 license #1026-33-001-006. Governing Body of the said Township be and is hereby authorized to sign said license

Fisher motioned to adopt the Resolution and Masterson seconded. The motion carried unanimously.

A brief discussion ensued over the status of the license, its value, and the stipulations in place. Local parameters can be changed by ordinance.

PRESENTATION OF BILLS FOR APPROVAL: The following refunds are on the bill list and need to be addressed first.

RESOLUTION #98-2010

WHEREAS, it has been determined by the Board of Adjustment of West Amwell Township that the following applicant's escrow fee and application fee can be refunded; and

WHEREAS, the Board of Adjustment has approved a refund of the following amounts

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 amounts to the applicant:

Applicant	Amount Refunded
Eric Myhre	\$867.56
Mark Brown	\$510.99

Fisher motioned to adopt the Resolution and Masterson seconded. The motion carried unanimously.

RESOLUTION #99-2010

WHEREAS, it has been determined by the Township Committee of West Amwell Township that the following farm market fees can be refunded

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 amounts to the applicant:

Applicant	Amount Refunded
Richard Maurer	\$100.00
Gull Cottage-Paul Gavzy	\$100.00

Fisher motioned to adopt the Resolution and Masterson seconded. The motion carried unanimously.

Fisher motioned to approve the evening's bills for payment and Masterson seconded. The motion carried unanimously.

OPEN TO THE PUBLIC:

There was no further public comment but Committeeman Fisher relayed that he's been in conversation with the mayor of Robbinsville and one of the Windsor's who are looking to bring suit against the State over the energy receipts but will need counsel to flesh it out. Money for this would be needed. Mr. Fisher will also be consulting with Attorney Faherty. This is an item for the July 7th agenda. A League resolution that puts forth their position on what needs to be done before the proposed 2.5 levy cap goes into effect, including full restoration of pass-through revenues, will also be on the July agenda.

ADJOURNMENT:

There being no further business, the meeting was unanimously adjourned at 7:53 p.m. on motion by Fisher, seconded by Masterson.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk