

WEST AMWELL TOWNSHIP COMMITTEE MEETING

March 18, 2009

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 7:23 p.m. Present were Mayor William J. Corboy, Deputy Mayor Frank P. Masterson III, Committeeman Thomas J. Molnar and Attorney Philip J. Faherty III. Also in attendance were Ron Shapella, Sean Pfeiffer, Alex Baran, Jodie Doherty, Cathy & Chester Urbanski, Hal Shute, FAA members Sarah Phillips & Kelly Albanir, Peggy Phillips and reporter Linda Seida

Mayor Corboy 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 Lambertville Beacon, Hunterdon County Democrat and Trenton Times on January 2, 2009, 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 and a copy of the CD is on file in the Office of the Municipal Clerk.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

FAA members Sarah Phillips and Kelly Albanir led the assembled group in the pledge to our nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following items were added: 7.E Introduction of Ordinance 9, 2009; 9. Unfinished Business: Letter from McMillan & Storcella; 10. New Business: Mayor Invitation for Baseball Opening Day Pitch; COAH Waiver Request; Elizabethtown Gas Issue; 12.C Resolution Appointing MHL/AA. Deleted were: 12.A Reports; 12.B Monthly Report

ANNOUNCEMENTS

Mayor Corboy made the following announcements:

- 2009 Dog Licenses are Now Subject to \$5.00/month Late Fee
- Electronics Collection, March 28th, Rt. 12 County Complex, 9 a.m.-1 p.m.
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The March 4, 2009 Regular and March 11, 2009 Special meeting minutes as well as the March 4, 2009 and March 11, 2009 Closed Session minutes were approved on motion from Molnar and seconded by Masterson. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING AND/OR SPECIAL PRESENTATION

FFA: Sarah Phillips and Kelly Albanir introduced themselves as South students and FFA members. Ms. Phillips reviewed recently held events, such as:

- +National FFA Week, which included an officer luncheon
- +Open House show-cased a re-organized Ag shop; cow and pheasant demonstrations; and, provided an opportunity to get other students involved
- +National Legislation Day at TCNJ gave State and high school officers a chance to discuss ideas and goals for the State chapter, noting that great ideas for involving the community were received.

As for upcoming events, the State Convention will be held in May with 15 students competing in various competitions. Spring Career Development Events (CDCs) will be starting soon. Five teams will be participating in events such as dairy judging;

landscape—turf, soil and design; and, giving presentations at Tractor Supply on topics such as pruning. Ms. Phillips relayed that the FFA focuses on career development through involvement in the community. She expressed appreciation to the Committee for the invitation to speak at tonight's meeting and for their support of the FFA.

Mr. Corboy questioned whether FFA was independent of the high school or part of the overall program. Ms. Phillips stated that this is an extra-curricular program but that ag classes are part of the school's offerings. South is the only high school to offer agriculture classes at the high school and middle school levels. The FFA also has plans to be involved with the Farmers Market.

Public Hearing: Ordinance 4, 2009 BOND ORDINANCE PROVIDING FOR RECONSTRUCTION OF ROCKTOWN-LAMBERTVILLE ROAD, SECTION 13 FOR AND BY THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$490,000 THEREFOR, INCLUDING \$485,000 EXPECTED TO BE RECEIVED AS A GRANT FROM THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION, AND AUTHORIZING THE ISSUANCE OF \$485,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Proof of publication in the February 26, 2009 issue of the Lambertville Beacon was presented. The ordinance has been posted and available to the public since its introduction at the February 18, 2009 Township Committee meeting. Mr. Corboy read the Ordinance by title and opened the public hearing. He explained that this work is being done due to funding received from the Toll Bridge Commission. Drainage work for Rocktown Hill Road has been applied for but there's been no word from the DRJTBC.

Ron Shapella came forward to acknowledge the mayor's role in getting this money, noting the benefit provided to the township for road repaired/rebuild at no expense because of this initiative.

Sean Pfeiffer came forward to inquire about the particular section being targeted. Mr. Corboy relayed that this section will run to the first curve.

Hearing no further comments, the public hearing was closed on motion from Molnar and seconded by Corboy. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Molnar moved for adoption of the Ordinance and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Discussion on Need for Public Information Session: The Township Engineer would like to file final plans and specifications for the project with the DRJTBC the week of March 23rd; would like to bid this ASAP; and, anticipate construction beginning after the close of school. The question is whether the Township Committee would like to schedule a public information session for residents. Hal Shute requested that this be held as there are some surface run-off concerns and questions. He doesn't wish to slow down the process but wants to make sure that concerns are factored into the engineering. The information will be relayed and a date set.

Public Hearing: Ordinance 5, 2009 AN ORDINANCE PROVIDING FOR THE FUNDING OF THE TOWNSHIP'S SHARE OF THE COST OF THE ACQUISITION OF CERTAIN REAL PROPERTY KNOWN AS BLOCK 8 LOTS 20 AND 36 IN AND BY THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND APPROPRIATING \$800,000.00 WHICH INCLUDES AN APPROPRIATION OF \$50,012.75 FROM THE CAPITAL SURPLUS, \$495,761.74 FROM THE RESERVE FOR OPEN SPACE AND \$254,225.51 FROM THE OPEN SPACE TRUST FUND OF THE TOWNSHIP OF WEST AMWELL.

Proof of publication in the February 26, 2009 issue of the Lambertville Beacon was presented. The ordinance has been posted and available to the public since its introduction at the February 18, 2009 Township Committee meeting. Mr. Corboy read the Ordinance by title and opened the public hearing.

Sean Pfeiffer came forward and relayed that the Township is not pre-acquiring this property, which is the 130 acre Toll Brothers farm on Route 179 with a 320 feet of road frontage. Two appraisals were conducted and a fee simple value of \$17,000/acre, or \$2.21 million, was received. A discount of \$1.5 million on CMV was given by Toll and Hunterdon Land Trust Alliance will be receiving a \$825,000 SADC grant to help with the purchase. The State will put their money on the table at the closing and application has been made to Hunterdon County to defray the municipal cost share. As the property ranks 8th, the township should receive \$100,000, leaving the township's share at \$675,000 for which reimbursement will be obtained. The property will be sold and the proceeds split between the participants. Mr. Pfeiffer expressed appreciation to Kate Buttolph of HLTA, the SADC, and the landowner for bringing this deal together.

Ron Shapella came forward noting that he witnessed how this purchase was assembled. He, too, expressed appreciation to Toll Brothers, HLTA and the Open Space committee/Sean Pfeiffer who worked hard on this project. The property is an important open space piece and stated that Mr. Pfeiffer deserves the credit.

Mr. Corboy also acknowledged the amount of work in this open space effort, stating that the Township is fortunate to have Mr. Pfeiffer's expertise (and Hal Shute's previously), to champion open space in West Amwell.

Hearing no further comments, the public hearing was closed on motion from Molnar and seconded by Masterson. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Molnar moved for adoption of the Ordinance and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Public Hearing: Ordinance 6, 2009 AN ORDINANCE AUTHORIZING THE ACQUISITION OF A CERTAIN REAL PROPERTY KNOWN AS BLOCK 8, LOTS 20 AND 36 IN THE TOWNSHIP OF WEST AMWELL FROM WEST AMWELL LIMITED PARTNERSHIP, LLC

Proof of publication in the February 18, 2009 issue of the Lambertville Beacon was presented. The ordinance has been posted and available to the public since its introduction at the February 18, 2009 Township Committee meeting. Mr. Corboy read the Ordinance by title and opened the public hearing.

Hal Shute came forward to state that this is a good project. However, he questioned the Highway Commercial lot and wondered if this was taken into account. Highway Commercial zoning was part of the Master Plan review and he was concerned that the township was painting itself into a box with no commercial land.

Mr. Pfeiffer relayed that there is a total of 43 acres of Highway Commercial on the two farms with the remainder Residential. The benefit of preservation to OSG is that there will be no strip malls along the road frontage. Although commercial doesn't impact the score, it does impact the appraisal. Without the preservation of the HC zone, the property would not have ranked as high. The commercial portion could have farm stands as these would be a permitted agricultural use. Limitations as to size would be whatever Township restrictions were applied.

Mr. Corboy added that commercial development brings in bigger COAH numbers.

Hearing no further comments, the public hearing was closed on motion from Molnar and seconded by Masterson. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Molnar moved for adoption of the Ordinance and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Public Hearing: Ordinance 7, 2009 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Proof of publication in the February 26, 2009 issue of the Lambertville Beacon was presented. The ordinance has been posted and available to the public since its introduction at the February 18, 2009 Township Committee meeting. Mr. Corboy read the Ordinance by title and opened the public hearing.

Mrs. Olsen explained that this is a budgetary tool. Normally the operating increase is limited to 2.5%; this permits operating expenses to be increased to 3.5%; and, the municipality can bank the extra 1%.

Hearing no comments, the public hearing was closed on motion from Molnar and seconded by Masterson. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Molnar moved for adoption of the Ordinance and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Introduction: Ordinance 9, 2009

The Salary & Wage ordinance introduced at the last meeting needs to be amended to change the Municipal Housing Liaison/AA from salaried to hourly. The following ordinance was read by title and introduced on first reading:

AN ORDINANCE TO AMEND AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY.

Section 1

The compensation of the officials and employees shall be amended to read as follows:

Municipal Housing Liaison/AA	\$ 22.50 – 27.50/hr
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Section 2

This Ordinance shall take effect after final adoption and publication according to the laws of the State of New Jersey.

Molnar moved to introduce the Ordinance on first reading and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye. Publication will be in the Trenton Times with a public hearing held on April 1st.

SPECIAL AND/OR STANDING COMMITTEE REPORTS

Open Space

- *Update on County Preservation Funding:* Mr. Pfeiffer reported that there was no new policy change at the last meeting. However, with over 40 farms, the Freeholders required option agreements for properties in both municipal and county PIGs and non-profit categories. A spread sheet of all applications was reviewed. Toll Brothers ranked 8th, Gulick II 9th and Nunn 16th. The Freeholders have agreed to match SADC funding. There are no East Amwell farms on the list as none of their landowners returned an option agreement. Therefore, East Amwell will by-pass the County and front 40%. One of the owners of the Hanover Shoe property was out of the country. They wanted to send a letter of intent but had concerns and declined. Mr. Pfeiffer stated that this raises a question in that there is State funding for this farm and inquired if West Amwell could kick in the 40% in order to draw down their portion of the State funding. Gulick III ranks high for State money and the municipal PIG will cover Nunn and Hanover, which would draw funds down to zero. The direction offered, however, is a policy decision and

something that has never been done in the past. However, Mr. Pfeiffer noted that State funding should be available this year but may not be next year. The use of Green Acres money would require a 50% Township cost share vs the 40% proposed. Although Mr. Pfeiffer would prefer the 20% County cost share for Hanover, its draw is that it is a big farm and is adjacent to Stoy. The initial ranking of the property was in the 20's due to soils, etc. CFO Luhrs would need to be consulted concerning budgetary matters. Municipal PIG applications have to move as GIS data is required for SADC approval for appraisal work.

Mr. Corboy indicated that his preference would be to go forward so as not to lose the property. The consensus of the Committee was that they were willing to consider Mr. Pfeiffer's proposal on Hanover.

- *ROSI Update*: The Stiefel property has been added to the open space inventory. The document was approved by the Planning Board last evening.

Molnar motioned to authorize the Mayor to sign and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye. This document is to be sent to the County Clerk for recording.

- *Green Acres Project Agreement #5 & Resolution*: A resolution is required for this amendment and adds \$300,000 to the Township's Green Acres account for 2009.

**RESOLUTION #62-2009
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of West Amwell desires to further the public interest by obtaining funding in the amount of \$300,000 from the State to fund the following project(s): 1026-00-007 Sourland/Open Space Acquisition at a cost of \$300,000;

NOW, THEREFORE, the governing body/board resolves that William J. Corboy or the successor to the office of Mayo is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE Township Committee

1. That the William J. Corboy of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Sourland/Open Space Acquisition;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$300,000;
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

Molnar motioned to approve the Resolution and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye. Mayor Corboy executed the agreement.

- *Planning Incentive Grant Agreements for Gulick I (Block 14 Lot 33.02) and Gulick II (Block 13 Lot 34)*: Mr. Pfeiffer relayed that a closing is anticipated in 60-90 days with the County. The agreements presented are for Township reimbursement.

Molnar motioned to authorize the Mayor to sign and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

- *Comly Update*: The contract has been signed and the closing will be later in the year with no municipal cost share. The Township currently has over 330 acres under contract with a 425 acre goal for the year.

- *Open Space Invoices*: Bills from Attorney Dragan for work on the Kilmer and Toll projects in the amount of \$832.20 have been received. Approved.

- *Project Status Updates*: 1) The 30 acres of municipal property proposed for possible sale was discussed at an Open Space meeting. The response received by Pete Hess, after a conversation with Catherine Drake, was that because the property is already on the ROSI, there can be no sale for funding, nor can it be removed. However, Mr. Hess will see if there are other options available. The rest of the property depends on the Township's direction but the Township Lands Committee was established for this purpose. Mr. Pfeiffer also shared that John Cronic has expressed strong opinion about not restricting the property. It would be okay to look for money for the back 30 acres but everything would be dependent on a long term plan. In response to a question from Mr. Corboy about the need for a plan, Mr. Pfeiffer noted that there is a map and that there could be active recreation, such as tennis courts, funded with Green Acres money. Use by the high school is another option as they have looked for additional land in the past. On the question of possible access through the County facility, an agreement is already in place from previous discussions on moving the DPW to the municipal property. Mr. Pfeiffer added that other sections of the property could be explored for perhaps a Farmland Preservation route but program rules would have to be researched. If farmland preservation is sought, there would be no County cost share.

Environmental

Cathy Urbanski relayed that the TLC is in their third year of working on a multi-use plan for public-agriculture-habit use. They tried trails for walking but encountered a problem with the ROSI. Although trails can be entered on the ROSI, an aerial map is needed and will be discussed at the meeting on the 26th. Their direction is to let the taxpayers use the trail system which can be entered on a temporary ROSI.

- *Permission to Post January 8, 2009 Minutes on Website*: Approved

- *Sustainable Jersey Discussion & Consideration of Establishing a Green Team*: In order to receive certification, a Green Team is needed. The preference is for this to be the Environmental Commission, but they would also like to engage the school, other boards, businesses, etc. in order to have a broad-based community effort. Mrs. Urbanski believes that the effort will work if the community wants it. A resolution is required to establish the 'team' and she will draft one for consideration at the next meeting. An open-ended approach is desired so that members can be added as needed. An energy audit is also under consideration and the South Hunterdon Solar Co-op can be part of the 'team.' Mrs. Urbanski expressed interest in getting a flyer out to residents and devoting part of each Environmental Commission meeting to Green Team work.

- *Newsletter*: As this lacks funding in the budget, one of the members feels strongly about continuing the newsletter and has offered \$500 for a fall-winter edition. It is anticipated that printing costs will be \$300 and postage would run around \$400. That leaves a short fall of \$200. A possible transfer of funds in November was discussed.

- *Associate Members*: Still discussing - Held

Aq Advisory

- *Permission to Post February 2, 2009 Minutes on Website*: Approved

- *Chapter 109, Article II – Definition Problems (Farm, Group Home, Setback and Waiver)*: Chester Urbanski relayed that one of the duties of this group is to review Township ordinances for impact on agriculture. They've reviewed 36 ordinances to date, including General and Board of Health. A review of Chapter 109 has begun and they've found the referenced items problematic. Mr. Pfeiffer stated that the Planning

Board has sub-committees looking at this chapter and any recommendations by Ag Advisory should be submitted to that body. Attorney Faherty also advised that any recommendations be submitted to the Planning Board for consideration and that the Township would then undertake ordinance revisions.

Community Forestry

- *Grant Agreement:* A grant of \$2100 has been awarded and an agreement now has to be executed. Gary Robinson has also provided a cover letter for approval.

**RESOLUTION #63-2009
GRANT AGREEMENT
BETWEEN**

**WEST AMWELL TOWNSHIP
AND
THE STATE OF NEW JERSEY
BY AND FOR
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

GRANT IDENTIFIER:

GOVERNING BODY RESOLUTION

The governing body of _____ West Amwell Township _____
(print Grantee's name)

desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately **\$2,100** to fund the following project: **Hazardous Tree Maintenance and Removals, Hewitt Park, West Amwell Township, New Jersey** _____.

Therefore, the governing body resolves that **William J. Corboy** _____ or the successor to the office of
(print name)

_____ **Mayor** _____ is authorized (a) to make application for such a grant, (b) if awarded, to execute
(print title of authorized official)

a grant agreement with the State for a grant in an amount not less than \$ **2,100** and not more than **2,100**, and (c) to execute ☐ any amendments thereto **XX**☐ any amendments thereto which do not increase the Grantee's obligations.

*The **West Amwell Township Committee** _____ authorizes and hereby agrees to
(print name of Grantee's governing body, e.g., board of chosen freeholders)
match _____% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. **28**% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).*

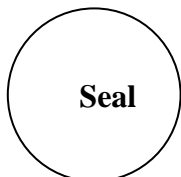
The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

Introduced and passed **March 18**, 2009.

Ayes: 3

Noes: 0

Absent: 0



* The portion of this form between the asterisks should only be completed if matching funds are required under the terms of the agreement. Where in-kind services are allowed and are stipulated by the Grantee, an attachment must be provided and appended hereto, breaking out the in-kind services to be provided by the Grantee.

CERTIFICATION*

I, Lora L. Olsen, **XX** ☐ municipal clerk ☐ county clerk ☐ utilities Authority Clerk
(print name)
☐ (other, specify) _____ of West Amwell Township _____
(print Grantee's name)
certify that this resolution was duly adopted by Township Committee _____ at a
(print name of Grantee's governing body)
meeting duly held on the 18th day of March, 2009; that this resolution has not been amended or
repealed; and that it remains in full force and effect on the date I have subscribed my signature. **

/s/ Lora L. Olsen _____
(signature) *

Lora L. Olsen _____
(print name)
Township Clerk _____
(print title)

Date: March 18, 2009 **

* Certification must be signed by an official other than the individual authorized to execute the agreement.

** This date must be no more than sixty (60) days prior to the Grantee's execution of the agreement. If the original certification expires prior to the Grantee's execution, Grantee must submit a currently certified copy of this Attachment C when it returns the executed agreement to the Department.

Molnar motioned to approve the Resolution and Masterson seconded. Roll Call:
Molnar-aye, Masterson-aye, Corboy-aye

The accompanying letter was also approved without comment.

UNFINISHED BUSINESS

Possible Appointments – Paul Cronce was appointed to the Recycling Committee.

Professional Services Resolution –

RESOLUTION #64-2009

WHEREAS there exists a need for the hiring of various professionals without competitive bids; and

WHEREAS the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. allows governing bodies to execute agreements without competitive bidding for professional services; and

WHEREAS executed agreements must be available for public inspection; and

WHEREAS sufficient funds are available in the 2009 Temporary Budget and will be made available in the 2009 Municipal Budget for the Township of West Amwell

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of West Amwell, that agreements be executed with the following professionals:

Robert McNeely Vance of Robert McNeely Vance & Company
Thomas L. Daniels
Richard B. Reading of Richard B. Reading Associates
Stephen J. Souza of Princeton Hydro
Matthew Mulhall of M2 Associates
Paul W. Ferriero of Ferriero Engineering, Inc.

BE IT FURTHER RESOLVED that these agreements are awarded, subject to contract discussions, without competitive bidding as defined under the appropriate section of the

Local Public Contracts Law, because each of the above mentioned individuals is authorized by law to practice a recognized profession.

BE IT FINALLY RESOLVED that the notice of this action shall be published in the newspaper of general circulation within the Township of West Amwell not more than ten days from the enactment thereof.

Molnar motioned to approve the Resolution and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Centex Road Dedications – Attorney Faherty relayed that he received a signed document but that the certification was missing. He will follow up.

Decision on IPE – Mr. Pfeiffer relayed that the Planning Board discussed this and there is a need to know exactly what's required, the benefit, and at what cost. The Board said no to pulling out but wants answers, especially as there's been no revision to the action plan. A letter addressing the issues involved has been prepared for the mayor to sign. The possibility of having a new governor in January was mentioned and that there have been problems with this administration since 2006.

Molnar motioned to authorize the Mayor to sign the letter and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye.

An e-mail was received from Barry Ableman concerning the Township's *Farmland Preservation Plan timeframe* as OSG would like to provide feedback prior to final approval. Mr. Pfeiffer relayed that the planner believes that the SADC needs a month to provide comments. The Planning Board will do nothing on this element until approval is received.

Video Cameras – There's been no confirmation or details from Congressman Holt's office but the Star Ledger had a front page article. The Township's \$35,000 was the smallest grant awarded. The application submitted was an update of the one attempted last year.

Letter from McMillian & Storcella – A copy has been provided to the Planning Board. The letter concerns recommendations for language to be inserted in future deeds.

Resolution to Enter Closed Session –

RESOLUTION #65-2009

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:

PERSONNEL

PURCHASE, LEASE OR ACQUISITION OF REAL PROPERTY

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.

Molnar motioned to adopt the Resolution and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

NEW BUSINESS

DPW Discussion – Mr. Molnar reported that he met with DPW staff last week and a

mowing schedule for Calton detention basins is needed. Supervisor Hoagland offered a couple times a year and Roadman Baran estimates that it will take 3-4 days for one man to complete required mowing, exclusive of the basins. It was suggested that the basins be brush hogged once a month. As there may be mandated schedules in the storm water regulations, it was suggested that Engineer Clerico be contacted but the consensus was that there should not be much done before July. The basins have a function as designed and if the grass gets too high, the drains will clog. They also attract birds and other wildlife.

Mr. Molnar also relayed the following *cost saving measures* employed by the DPW: 1) They make their own snow plow shoes (cost to buy: \$90 ea); they've adapted an old plow to another truck; they bring their own tools to work; and, the toilet came from one of the clean up days, as have their weed wackers and furnishings. The DPW workers want to have input into the clean up day rules to avoid scrappers. It was suggested that the Recycling committee devise the specifications for the quote.

Request from SADC re: Barry Road Extension of ROW – Once the SADC acquires property, deed restrictions are applied prohibiting any future nonagricultural development, including road right-of-way. The Township needs to reply in writing whether or not they wish to widen the road now or in the future. Mr. Pfeiffer offered that when this question was asked for the Holcombe acquisition, the answer was no. He also relayed that any acquisition cannot use open space money—a separate budget line is needed. With the pending preservation of the 140 acre Comly farm, it is unlikely that the road would need to be widened. Engineer Clerico will be consulted for his thoughts.

Approval of Annual Maintenance Quotes for 254 & 255 Mt. Airy-Harb. Road – Although the price is under the quote threshold, the Committee should know what the ongoing costs involve. These quotes are \$902 and \$223, respectively. Molnar motioned to approve the quotes and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

SHR re: Request for Kids Vote – A letter was received requesting permission to hold a Kids Vote 2009 program during the school board elections on April 21st. South Hunterdon students, accompanied by a teacher/parent, would be responsible for setting up and supervising the process. Mrs. Olsen relayed that contact was made with Master Poll Worker Brenda Reasoner. Mrs. Reasoner expressed concern about the number of helpers assigned to her, the noise and distraction factors involved. She also stated that the elementary students have been voting during school hours. Contact was then made with the Election Board. Their policy concerning minors being present for voting in a simulated election within the polling place is that *if the simulated election is held during a regularly scheduled election, it shall take place during school hours in a separate room that is a minimum of 100 feet from the actual polling place*. Voting is scheduled from 3 to 9 p.m. The consensus of the Township Committee is that the Kids Vote 2009 be held at the elementary school. South will be so advised and a copy of the rules provided.

Discussion on Garbage Depot Arrangement – Mr. Corboy relayed a resident suggestion about the current truck placement. Having the truck park parallel to the field so that no one has to walk in front of incoming cars was suggested. Cones would be needed to mark the travel lanes. There may be a problem in that the pad tilts/is not level in that direction. Whether the proposed arrangement would be safer will be discussed with the truck driver. Mrs. Olsen referenced minutes from May 3, 2006 concerning recommendations from the insurance survey. At that time only one car at a time was to enter either the garbage or recycling areas. There was also a directive that all Saturday employees are required to wear florescent safety vests. Asked if the recycling volunteers are wearing these vests, Mrs. Urbanski indicated that they were not.

Mayor Invitation for Baseball Opening Day Pitch – Opening day for the Lambertville-

West Amwell Youth Baseball & Softball Association will be held on April 11th at 1 p.m. The mayor is invited to participate. Mr. Corboy accepted. Mr. Roy will be so advised.

COAH Waiver Request – A second waiver to the accessory apartments in the growth share plan is needed. Consultant Shirley Bishop provided a letter for review. No changes were recommended.

Elizabethtown Gas – Mr. Corboy has been advised by a resident that gas lines that were to run under the creek on Alexauken Creek Road are now being proposed to hang on the bridge. Attorney Faherty, Engineer Clerico and Hunterdon County were contacted. Apparently the problem involves boring through the rock, so the company has come back to the County and DEP with a request to hang pipes on a bridge scheduled to be replaced. It's a wait and see for what will be applied for and Elizabethtown will have to come to the Township with their plan. Concerns involve aesthetics and the effect of accidents and vibrations. At this point, the County has only been approached verbally.

OPEN TO THE PUBLIC

Mr. Pfeiffer came forward as he was curious about the process involved with the video cameras, especially in light of West Amwell being the recipient of the smallest amount of PORK to the tune of \$35,000. He was advised that the category was Homeland Security given gas company and reservoir facilities. There is also the component of liability protection for officers on car stops and for the Township generally. Mr. Corboy noted that the Route 29 drainage project will be one of the first to be funded under the federal stimulus package.

ADMINISTRATIVE REPORTS

Treasurer –

RESOLUTION #66-2009

WHEREAS, it has been determined by the Township Committee of West Amwell Township that the following escrow amounts 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
Centex Homes, LLC (B33.01 L10)	\$3,000.00
Centex Homes, LLC (B3.01 L12)	\$3,000.00
Centex Homes, LLC (B3.01 L3)	\$3,000.00
Centex Homes, LLC (B3.03 L7	\$3,900.00
Centex Homes, LLC (B3.03 L6)	\$4,000.00
Centex Homes, LLC (B3.03 L3)	\$9,527.48
Centex Homes, LLC (40 Music Mt)	\$5,000.00

Molnar motioned to approve the Resolution and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Presentation of Bills for Approval: Molnar motioned to approve the evening's bills for payment and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Tax Collector –

RESOLUTION #67-2009

WHEREAS, a duplicate payment was made on the first quarter taxes for Block 11 Lot 5-18. The overpayment was \$2,721.79. The homeowners, Christopher & Lorraine Nunziata, have requested a refund.

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 \$2,721.79 for the refund of the amount overpaid on Block 11 Lot 5-18

Make check payable to: Christopher & Lorraine Nunziata

Mail with a copy of this resolution to:

Christopher & Lorraine Nunziata
27 Rose Run
Lambertville NJ 08530

Molnar motioned to approve the Resolution and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

Clerk/Human Resources –

RESOLUTION #68-2009

WHEREAS, the Township of West Amwell advertised for the position of Municipal Housing Liaison/Administrative Agent; and

WHEREAS, interviews were conducted with two applicants; and

WHEREAS, the Township Committee has determined that Stacey Smith-Bohn is best qualified for said position; and

WHEREAS, Stacey Smith-Bohn has accepted the Township's offer for the position

THEREFORE, BE IT RESOLVED that Stacey Smith-Bohn be appointed Municipal Housing Liaison/Administration Agent, effective April 6, 2009

BE IT FURTHER RESOLVED that this appointment term expires on December 31, 2009

Molnar motioned to approve the Resolution and Masterson seconded. Roll Call: Molnar-aye, Masterson-aye, Corboy-aye

The Committee entered their previously approved Closed Session at 9:32 p.m., returning to Open Session at 10:44 p.m.

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 10:45 p.m. on motion from Molnar, seconded by Corboy.

Respectfully submitted,

Lora Olsen, RMC
Township Clerk