

# **WEST AMWELL TOWNSHIP COMMITTEE MEETING**

## **August 21, 2019 - 7:30 PM**

### **CALL TO ORDER AND STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

The regularly scheduled meeting of the West Amwell Township Committee was called to order at 7:30 PM by Mayor Zachary Rich. Present were Committeemen James Cally and John Dale along with Township Clerk Maria Andrews and Attorney Katrina Campbell.

Mayor Rich announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was faxed to the Hunterdon County Democrat and Trenton Times on January 10, 2019, 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 Township Clerk.

### **FLAG SALUTE**

Mayor Rich led those in attendance in the pledge to the nation's flag.

### **AGENDA REVIEW BY TOWNSHIP CLERK**

Clerk Andrews noted there were no changes to the agenda.

### **ANNOUNCEMENTS**

- The Municipal Offices will be Closed Mon., Sept. 2<sup>nd</sup> – Labor Day
- Summer Hours End 8/31/19; Reg. Hours Start 9/3/19 (Mon.-Fri. 8:30 AM to 3:30 PM)
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During the Meeting

### **PRESENTATION OF MINUTES**

A motion by Dale, seconded by Cally to approve the Township Committee's 7/17/19 Regular and Closed Session minutes with no revisions noted was unanimously approved by voice vote.

### **OPEN TO THE PUBLIC/TOPICS NOT ON THE AGENDA**

Mayor Rich opened the floor to public comment. Seeing no members of the public come forward he closed the floor to public comment.

### **SPECIAL PRESENTATIONS**

It was noted for the record that no special presentations were given.

### **INTRODUCTION/PUBLIC HEARING ON ORDINANCES**

Introduction: Ordinance 11, 2019 – An Ordinance of the Township of West Amwell, County of Hunterdon, State of New Jersey Authorizing the Lease of Property Owned by the Township and not Required for Public Purposes and More Commonly Known as a Portion of Block 11 Lot 18

Mayor Rich read Ordinance 11, 2019 by title.

#### **ORDINANCE 11, 2019**

AN ORDINANCE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AUTHORIZING THE LEASE OF CERTAIN PROPERTY OWNED BY THE TOWNSHIP AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS A PORTION OF BLOCK 11, LOT 18.

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-14 authorizes the lease by municipalities of any real property, capital improvements or personal property or interests therein, not needed for public use to the highest bidder by open public sale at auction or by submission of sealed bids after the required newspaper advertisements; and

WHEREAS, the Township of West Amwell is the owner of certain real property located on Rocktown Lambertville Road, Block 11, Lot 18; and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township to lease the property for a solar facility in order to generate more revenue for the municipality; and

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WHEREAS, the property known as a portion of Block 11, Lot 18 was offered for lease to the highest bidder by submission of sealed bids, pursuant to N.J.S.A. 40A:12-14.

WHEREAS, the highest responsible bidder was NEXAMP.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of West Amwell, County of Hunterdon, State of New Jersey, that:

1. The said property shall be leased to NEXAMP subject to the following terms and conditions:
  - (a) The said property shall be leased for a monthly rent of \$1000.00 during the development period prior to BPU approval, a monthly rent of \$1000.00 during the development period after BPU approval and \$400,000.00 a year during the operation of the solar array.
  - (b) The lease may be extended and/or terminated as provided for in the written Lease Agreement.
  - (c) The Mayor and Clerk are authorized to execute all necessary documents to effectuate the Option and/or Lease Agreement.
  - (d) The Lease Agreement shall be on file with the Township Clerk.

Effective Date.

This Ordinance shall take effect upon final passage and publication as provided by law.

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Township Committee of the Township of West Amwell held on August 21, 2019, at 7:30 PM and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on September 18, 2019, at 7:30 PM, or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 150 Rocktown Lambertville Road, Lambertville, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

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Maria Andrews, Township Clerk, RMC

A motion by Dale, seconded by Cally to introduce Ordinance 11, 2019 upon first reading was unanimously approved by roll call vote.

*Cally: Yes, Dale: Yes, Rich: Yes*

It was noted for the record that the public hearing on Ordinance 11, 2019 was set for 9/18/19.

Attorney Campbell stated she will provide a letter of intent to Nexamp so they have it for the State's 9/9/19 application deadline.

**STANDING COMMITTEE REPORTS**

It was noted for the record that no reports were given.

**UNFINISHED BUSINESS**

**PennEast Status**

Mike Spille provided an update to the Committee on PennEast's recent NJDEP application submission highlighting the following details:

The application contained several boxes of information including eighteen 3-ring binders

The Attorney representing PennEast did not provide the required "digital" copy of the application

The PennEast analysis seems "underhanded," but the survey data is good

With regard to the process, Mr. Spille explained that NJDEP must first determine whether or not the application is complete. If it is, there will be a 30 day comment period. He noted that the application drop date was 8/8/19 which starts the Federal clock/1 year deadline of 8/8/20.

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Mr. Spille noted he has been in the municipal offices to review all of the application materials and commented it appears Hewitt Road may be “trenched,” not “bored” which will greatly impact traffic. He remarked he will continue to review the documentation and provide status updates.

Mayor Rich asked what Governor Murphy’s position on the pipeline is. Mr. Spille commented that initially he came out strongly against it but lately seems to be weakening.

Committeeman Cally asked about the status of the Adelpia Pipeline. Mr. Spille stated it has been held up at the FERC level.

With regard to the PennEast application, Mr. Spille suggested the Township seek an extension to the comment period and also request public meetings. Mayor Rich authorized Mr. Spille and Environmental Commission Chairwoman Cathy Urbanski to spearhead this effort.

#### **NEW BUSINESS/OTHER**

##### **Resolution #85-2019: Promote T. Carom to Road Class C**

#### **RESOLUTION #85-2019**

WHEREAS, the Township’s DPW wishes to promote Tommy Carom from Road Laborer to a Road Class C personnel member to perform various public works and road projects as well as general maintenance, mowing and snow removal duties; and,

WHEREAS, Tommy Carom has obtained his CDL License in accordance with his hiring agreement; and

THEREFORE BE IT RESOLVED, by the West Amwell Township Committee that Tommy Carom be promoted to Roadman Class C for the DPW at a rate of \$18.50 per hour pro-rated from July 17, 2019.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at a meeting held August 21, 2019.

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Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Dale to approve Resolution #85-2019 was unanimously approved by roll call vote.

*Cally: Yes, Dale: Yes, Rich: Yes*

##### **Resolution #89-2019: Promote J. Cronic to Road Foreman**

Mayor Rich explained that when DPW Director Rollero is out there is no orderly structure in the department. Committeeman Cally remarked he believes Director Rollero dictates specific tasks to be completed when he is out and asked if there are other crew members who are capable of moving into the Foreman position since Mr. Cronic was so newly appointed to the department.

Mayor Rich commented that there is no one else to fill the Foreman position and stated he and Director Rollero agreed that Mr. Cronic would become Foreman and Mr. Vennetone would come back to working on the DPW the 2 days per week he isn’t covering in the Police Department.

Committeeman Dale suggested that if a Foreman is only needed in the Director’s absence, then the appointment could be on a temporary basis. Committeeman Cally commented it is important not to make the other crew members feel as though they were overlooked. Mayor Rich expressed Resolution #89-2019 will provide structure in the department and create “peace in the valley.”

#### **RESOLUTION #89-2019**

WHEREAS, the Township Committee wishes to promote John Cronic from the DPW Road Class C position to Road Foreman in order to lead the Department of Public Works in the absence of the DPW Director and to perform various public works and road projects as well as

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garbage/recycling collection, general maintenance, mowing and snow removal duties and after hours emergency call outs; and,

WHEREAS, a CDL license is needed for this position and must be maintained in good standing; and

NOW THEREFORE BE IT RESOLVED, by the West Amwell Township Committee that John Cronic be promoted to Road Foreman for the DPW at a rate of \$20.95 per hour effective August 21, 2019.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at a meeting held on August 21, 2019.

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Maria Andrews, Township Clerk, RMC

A motion by Cally, seconded by Rich to approve Resolution #89-2019 was unanimously approved by roll call vote.

*Cally: Yes, Dale: Yes, Rich: Yes*

**Resolution #87-2019: Amending Salary & Wage Resolution #64-2019**

**Resolution #87-2019**  
*Amending Resolution #64-2019*

BE IT RESOLVED by the Committee of the Township of West Amwell that the 2019 Salary and Wage Resolution, approved on May 1, 2019 be amended as follows:

<b><u>Position</u></b>	<b><u>Salary/Compensation</u></b>
Assistant Collector of Taxes Brewi	\$4557.00 annual salary (pro-rated)
Construction/Zoning Office Mgr. Brewi	\$48,613.00 annual salary (pro-rated)
<u>Delete:</u> Road Laborer: Carom	\$18.00/hour
<u>Add:</u> Road Class C: Carom	\$18.50/hour
<u>Delete:</u> Road Class C: Cronic	\$20.00/hour
<u>Add:</u> Road Foreman: Cronic	\$20.95/hour

I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at a regular meeting held on August 21, 2019.

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Maria Andrews, Township Clerk, RMC

A motion by Dale, seconded by Cally to approve Resolution #87-2019 was unanimously approved by roll call vote.

*Cally: Yes, Dale: Yes, Rich: Yes*

**Resolution #88-2019: Awarding Elevator BID – Independence Elevator Company**

**Resolution #88-2019**  
**Award Elevator BID**

WHEREAS, West Amwell Township is required to install an elevator as part of the municipal renovation project for the relocation of the Township Police Department; and

WHEREAS, the Township went out for BID twice with the first round BID's being rejected; and

WHEREAS the latest legal notice was provided to bidders in the 6/27/19 edition of the Hunterdon County Democrat newspaper; and

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WHEREAS, one BID was received from Independence Elevator Company located in Lebanon, NJ; and

WHEREAS, it has been determined that the BID proposal and all required documentation is in order; and

WHEREAS, the CFO has certified that funding is available for this project per the Bond Ordinance 05, 2018; and

THEREFORE BE IT RESOLVED that the West Amwell Township Committee awards the elevator BID in the amount of \$75,399.18 to Independence Elevator Company located in Lebanon, NJ.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at their meeting held on August 21, 2019.

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Maria Andrews, Township Clerk, RMC

A motion by Dale, seconded by Cally to approve Resolution #88-2019 was unanimously approved by roll call vote.

*Cally: Yes, Dale: Yes, Rich: Yes*

**Authorization of Final Payment to Black Rock for Rocktown-Lambertville Road Section III Improvement Project**

Clerk Andrews explained Maser Consulting had sent a letter dated 8/14/19 noting the project had been completed and requesting the final payment to Black Rock be released. A motion by Cally, seconded by Dale authorizing the final payment to Black Rock be made was unanimously approved by roll call vote.

*Cally: Yes, Dale: Yes, Rich: Yes*

**Discussion: Unsafe Structure – Block 33 Lot 11**

Attorney Campbell explained she received an email from the Construction Department requesting she outline the next steps regarding the removal of the unsafe structure on the property. She commented the Township must first attempt to notify the owner they are considering foreclosure, then a title search must be done.

Attorney Campbell suggested the Committee review all properties with township tax liens that are more than 6 months old. She remarked this is routinely done in the other municipalities she represents to keep the tax records clean. She said she can reach out to the Tax Collector for a list, the Committee can review it and then select the parcels they wish to move forward on. Attorney Campbell's office will then coordinate the title searches and related noticing.

It was noted for the record that the committee authorized Attorney Campbell to request a list of properties with township tax liens from the Tax Collector.

Mayor Rich re-ordered the agenda to address Ms. Brewi's administrative reports for the Construction Office prior to the Committee entering into closed session.

Ms. Brewi updated the Committee that the State will no longer be supporting the "Permits NJ" system after June of 2020. She commented that she is in the process of seeking proposals from other companies because she would like to have a new computer system up and running by the first of the year.

Ms. Brewi also advised that there is a pending Court case regarding the collection of small permit fees that were previously eliminated. She commented that those revenues may be re-established within 90 days.

Lastly, Ms. Brewi expressed an interest in taking the Affordable Housing classes to be a certified/qualified agent for the Township. She noted the classes start 9/15/19 and end 12/3/19. Attorney Campbell commented that Planning Board Attorney St. Angelo had indicated at last night's meeting, that the Township must appoint a qualified agent according to the Settlement

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Agreement. It was noted that the classes cost between \$1500 and \$2000 and there are still seats available for the 9/15/19 class. The Committee authorized Ms. Brewi to sign up for the classes.

It was noted for the record that the Committee also authorized Attorney St. Angelo to seek quotes for a COAH agent if necessary, while Ms. Brewi is obtaining the certification.

#### **OTHER**

#### **Resolution #90-2019: Closed Session – Personnel/Contracts – Litigation/Affordable Housing**

##### Resolution #90-2019

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: Mt. Laurel Litigation, personnel/contracts and subjects falling under Attorney-Client privilege.
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.

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Maria Andrews, Township Clerk

A motion by Dale, seconded by Cally to approve Resolution #90-2019 and enter into closed session was unanimously approved by voice vote.

A motion by Cally, seconded by Dale to return to open session was unanimously approved by voice vote.

The Committee was in closed session from 8:32 PM – 9:10 PM.

#### **ADMINISTRATIVE**

A motion by Cally, seconded by Dale to approve the 8/21/19 bill list was unanimously approved by roll call vote.

*Cally: Yes, Dale: Yes, Rich: Yes*

#### **CORRESPONDENCE**

The Committee ordered the correspondence listed on the agenda, filed.

#### **ADJOURNMENT**

A motion by Rich, seconded by Cally to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 9:12 PM.

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Maria Andrews, Township Clerk, RMC

Approved: 9/18/19