

# **WEST AMWELL TOWNSHIP COMMITTEE MEETING**

## **May 28, 2014 - 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 7:07 p.m. Present were Mayor Zachary T. Rich, Deputy Mayor George A. Fisher, Committeeman John Dale, Clerk Lora Olsen and Attorney Philip J. Faherty III. Also in attendance at various times were Rick Kropp, John Cronce, Dan Malek, Randy & Lolly Hoagland, Sandy Haberle, Pam Williamson, Olga Napolean, Tom Carro, Jeff Warford, Dave Beaumont, Chris Rose and Leslie Grillo

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 6, 2014, 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**

The assembled group joined Mayor Rich in the pledge to the nation's flag.

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

The following items were added: 10.B.7) Dam Inspection. 11.C Professional Services Resolution and 13.B Tax Collector were deleted.

### **ANNOUNCEMENTS**

The following announcements were made:

- Primary Election – June 3<sup>rd</sup>, 6 a.m. to 8 p.m., Municipal Building
- Fire Company Chicken Bar-B-Q – June 14<sup>th</sup>, 4:00-7:00 p.m., Firehouse
- Hazardous Waste Days – July 12<sup>th</sup>, & November 8<sup>th</sup>; Electronics Recycling, October 11<sup>th</sup>, all 9 a.m. – 1 p.m., County Complex, Rt 12
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

### **PRESENTATION OF MINUTES**

The May 12, 2014 Regular session minutes were unanimously approved on motion from Fisher, and seconded by Rich.

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

Rick Kropp, 718 Brunswick Pike, requested a reduction in his real estate taxes for Block 16 Lot 20 as the house was damaged in the January fire and remains in an unoccupied state. As the May 1<sup>st</sup> deadline for appeal was missed, the assessor recommended that contact be made with the Township Committee for a reduction. Mr. Kropp specifically requested, based on the assessor's advice, that the tax bill be reduced and that the tax assessment for 2014 be based on the land value alone for the period of time that they are not able to occupy the home. Full assessment of land and improvements would start again on the first day of the month following the issuance of a Certificate of Occupancy. The calculated reduction would be approximately \$2800.

*Fisher motioned to allow the reduction and Rich seconded. Motion carried unanimously.*

Olga Napolean, 1715 Linvale-Harbourton Road, inquired about the status of the HUD program and her project as it is her understanding that nothing is resolved. The mayor gave a brief overview of the Committee's issues with the program's specifics; this particular project's requested work; and, the desire to spread the money as far as possible. Mrs. Napolean outlined the problems she is facing and her need for the program to alleviate the situation as it is important to the structure of the house. She was advised that the process should see some movement tonight and that Mr. Guebtner will be in touch.

Dave Beaumont came forward to update the Committee on the recent meeting with the Business Administrator, Superintendent and Board members on the new school budget, the levy and, specifically the levy for West Amwell, and comparison to this year. The Township should see a \$100,000 tax savings; however, the driver is the formula used, so the overall savings will be less but better than it would have been.

**SPECIAL PRESENTATION(S)**

**Recognition of Volunteer Service** – A resolution and Certificate of Appreciation for 37+ year of dedicated service to the community was presented. Mayor Rich offered a sincere ‘thank you’ to the Fuhr’s for all they have done over the years.

**RESOLUTION #79-2014**

WHEREAS, Irma Fuhr was initially appointed to the newly established Parks & Recreation committee in 1977; and,

WHEREAS, her 37 year tenure on that committee is hereby recognized; and

WHEREAS, it is also noteworthy that Irma is one of only two original members of that group; and,

WHEREAS, Irma’s public service pre-dates 1977 and includes the 1976 Bi-Centennial committee that built a float for the County parade in Ringoes as well as the organization of several other community events during that celebration year; and

WHEREAS, in 1995-96, Irma served as a member of the Township’s 150<sup>th</sup> Anniversary committee, and loaned her artistic talents to this endeavor.

WHEREAS, Irma has made known her decision to retire from the Parks & Recreation committee at this time

THEREFORE BE IT RESOLVED, by the governing body of West Amwell Township, together with the past and present members of the Parks & Recreation committee, that this Certificate of Appreciation be presented to Irma Fuhr in recognition of her years of dedicated service to West Amwell Township

BE IT FURTHER RESOLVED that this Resolution be spread in full in the minutes of the May 28, 2014 meeting of the Township Committee.

<u>Zachary T. Rich</u>	<u>George A. Fisher</u>	<u>John Dale</u>
Zachary T. Rich	George A. Fisher	John Dale
Mayor	Committeeman	Committeeman

Attest: Lora L. Olsen  
Lora L. Olsen, RMC  
Township Clerk

*The Resolution was unanimously approved on motion by Fisher, seconded by Dale.*

**INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING**

**Public Hearing:** 2014 West Amwell Open Space Trust Fund  
The item was read by title and the public hearing opened. .

**2014 WEST AMWELL TOWNSHIP OPEN SPACE TRUST FUND**

Purpose: as designated by NJSA 40:12-15.7, the tax may be used for the acquisition of lands for recreation and conservation purposes, development of lands acquired for recreation and conservation purposes, maintenance of lands acquired for recreation and conservation purposes, acquisition of farmland for farmland preservation purposes, historic preservation of historic properties, structures, facilities, sites, areas or objects for historic preservation purposes, payment of debt service on indebtedness issued or incurred by a municipality for any of the purposes above. During the budget process each year, a public hearing is held on the allocation of funds raised by the open space tax.

The 2014 Open Space Trust Fund will be used for the following:

Administrative Expense:	
Salaries and Wages	\$ 1,500.00
Maintenance of Lands for Recreation And Conservation:	
Salaries and Wages	5,000.00

Other Expenses	11,500.00
Debt Service:	
Payment of Bond Principal	150,000.00
Interest on Bonds	150,000.00
Total	\$ 318,000.00

OPEN TO THE PUBLIC FOR COMMENTS

CFO Tom Carro relayed that an adjustment was made between the salary/wage line and the OE under the maintenance portion to cover items mentioned at a previous meeting. The former covers the secretary and summer help.

John Cronce inquired why salaries were paid out of the OS Trust as salaries for personnel are covered under DPW. It was explained that this is budgetary device to allocate funds to where the work is being accomplished.

Hearing no further comments, the public hearing was closed.

*The 2014 Open Space Trust Fund was unanimously approved on motion by Fisher, seconded by Rich.*

**Public Hearing:** 2014 West Amwell Township Budget

Mayor Rich spoke about moving forward; the upcoming amendment; and, his previous no votes on budgets. His yes vote this time to introduce was based on dropping another \$23,000 from the proposed budget in order to keep it flat. He also addressed the payroll issue faced by employees in 2009 and is advocating that those particular staff members be given not only the 2.25% increase but an additional 1.75% this year. He admitted that the fix is not perfect but that he didn't want the compounding effect. His other issue is a mayor's sign off on purchases exceeding \$500 which is intended to keep the Committee in the loop. The vote will entail either the original budget or one with amendment.

CFO Carro relayed that \$37,000 more would be taken from surplus for the amendment.

Mr. Fisher questioned using half of the existing surplus to make this work and a brief discussion ensued over this issue. Concern was expressed over the use of 90% of various revenue sources. Mr. Rich offered that he's building on employee productivity and getting things done, not something 3-5 years out as his plan is well thought out. Another brief discussion ensued over process and amount to be raised by taxation.

Proof of publication in the April 24, 2014 issue of the Hunterdon County Democrat was presented, together with the following resolutions for budget self-examination and to read by Title.

RESOLUTION #80-2014  
TOWNSHIP OF WEST AMWELL  
COUNTY OF HUNTERDON  
SELF-EXAMINATION OF 2014 BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of West Amwell has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2014 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of West Amwell that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
  
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
  
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
  
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
  
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
  
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Approved: May 28, 2014  
Vote recorded as follows:

Rich            aye  
Fisher         aye  
Dale            aye

*The Resolution was unanimously approved on motion from Fisher, seconded by Rich.*

\*\*\*\*\*

TOWNSHIP OF WEST AMWELL  
HUNTERDON COUNTY, NEW JERSEY

**CERTIFICATION OF APPROVED BUDGET**

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: May 28, 2014

By: \_\_\_\_\_  
Thomas J Carro  
Chief Financial Officer

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30-7.6(e))

\*\*\*\*\*

RESOLUTION #81-2014

WHEREAS, the 2014 Budget of the Township of West Amwell was introduced on April 14, 2014 and advertised on April 24 , 2014; 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 28<sup>th</sup> day of May 2014, that the 2014 budget be read by title only as provided by N.J.S.A. 40A:4-8.

*The Resolution was unanimously approved on motion by Dale, seconded by Fisher.*

The 2014 Budget was read by title and the public hearing opened. Hearing no comments, the public hearing was unanimously closed on motion from Rich, seconded by Fisher.

The following Budget Amendment was presented

RESOLUTION #82, 20014  
(See attached)

The public hearing on the amendment was opened for comment.

Sandy Haberle came forward concerning the effort to address the 2009 circumstance noting that what happened then should not happen again and the possible legality of it with statutory staff. She expressed appreciation and respect for the Committee's willingness to hear and make amends.

Hearing no further comments, Fisher motioned to close the public hearing on the amendment and Rich seconded.

*Rich motioned to approve the amendment and Dale seconded. Roll Call: Dale-aye; Fisher-no; Rich-yes.*

The Budget resolution was presented.

RESOLUTION #83-2014

Be it resolved by the Township Committee of the Township of West Amwell, County of Hunterdon, that the 2014 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) \$ 1,202,562.00 for municipal purposes; and

(d) \$ 300,000.00 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

SUMMARY OF REVENUES

1) General Revenues Surplus Anticipated	\$ 386,880.00
Miscellaneous Revenues Anticipated	1,681,339.00
Receipts from Delinquent Taxes	290,000.00
2) AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES	<u>1,202,562.00</u>
Total Revenues	<b><u>\$ 3,560,781.00</u></b>

SUMMARY OF APPROPRIATIONS

5) GENERAL APPROPRIATION	
Within CAPS	
(A & B) Operations including Contingent	\$ 2,241,775.00
Deferred Charges and Statutory Expenditures	207,934.00
Excluded from CAPS	
(A) Operations – Total operations excluded from CAPS	45,000.00
(C) Capital Improvements	150,000.00

(D) Debt Service	628,272.00
(E) Deferred Charges	22,800.00
(M) Reserve for Uncollected Taxes	<u>265,000.00</u>
Total Appropriations	<b><u>\$ 3,560,781.00</u></b>

*Rich motioned to adopt the budget as amended and Dale seconded. Roll Call: Dale-aye, Fisher-aye, Rich-aye.*

**Public Hearing:** Ordinance 4, 2014 A CAPITAL ORDINANCE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, AUTHORIZING VARIOUS PURCHASES LISTED BELOW AND APPROPRIATING \$131,500.00 FROM THE CAPITAL IMPROVEMENT FUND.

Proof of publication in the April 24, 2014 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the April 14, 2014 Township Committee meeting. Mr. Rich read the Ordinance by title and opened the public hearing.

Court Administrator Lolly Hoagland commented that there should be no purchase of a \$350 leather chair.

Hearing no further comments, the public hearing was unanimously closed.

*The Ordinance was unanimously adopted on motion by Rich, seconded Fisher.*

**Introduction:** Ordinance 5, 2014

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

AN ORDINANCE TO AMEND CHAPTER 41 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, HUNTERDON COUNTY NEW JERSEY

**BE IT ORDAINED** by the Township Committee of West Amwell, County of Hunterdon and State of New Jersey that Chapter 41 of the Code of the Township of West Amwell be amended as follows:

SECTION 1: Chapter 41 of the Code of the Township of West Amwell is amended by the addition of Section 48-8 as follows:

1. Fingerprinting, except for employment at the West Amwell Township School or South Hunterdon Regional High School or for applicants for membership in the West Amwell Fire Company or Lambertville-New Hope Ambulance and Rescue Squad...  
\$35.00

SECTION 2: This Ordinance shall take effect immediately upon final passage and publication according to law.

*Fisher moved to introduce the Ordinance on first reading and Rich seconded. Motion carried unanimously. The public hearing will be held June 25, 2014.*

**Introduction:** Ordinance 6, 2014

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

AN ORDINANCE TO AMEND CHAPTER 109 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL

**BE IT ORDAINED** by the Township Committee of the Township of West Amwell, Hunterdon County, State of New Jersey, that the following changes be made to Part 4, Zoning:

Section 1

Chapter 109. Land Development, Part 4. Zoning, Article XII: District Regulations shall be amended and supplemented as follows:

§ 109-87 LHC Limited Highway Commercial Zone

... (no changes)

C. Conditional Uses

... (no changes)

7. Drive-throughs

Chapter 109. Land Development, Part 4. Zoning, Article XV. Specific Requirements for Certain Conditional Uses shall be amended and supplemented as follows:

... (no changes)

§ 109-112. Fast-food restaurants.

Fast-food restaurants are a conditional use in the zones specified, provided that such uses shall adhere to the following:

- A) The minimum lot size for a fast-food restaurant shall be 2.5 acres, with a minimum buildable area of 2.0 acres.
- B) Within the front setback area of any property containing a fast-food restaurant there shall be a minimum forty-foot landscaped buffer strip adjacent to the front property line. Only improvements associated with access drives and signs shall be permitted within this area.
- C) Fast-food restaurants must have frontage on and have access to a primary or secondary arterial roadway.
- D) Maximum lot coverage cannot exceed 50%.
- E) Storage areas, trash areas and service areas shall be located in such a manner as to be screened from direct public view and such areas shall be maintained in a neat, clean and orderly fashion at all times.
- F) (delete)

... (no changes)

§ 109-112.2. Drive-throughs

Drive-throughs are a conditional use in the zones specified. The required conditions are as follows:

- A) The use which the drive-through will serve shall be a permitted use in the zone district.
- B) A bypass lane shall be provided. No median or curbing shall prevent a vehicle in an adjacent lane from accessing the bypass lane.
- C) Noise levels from any speaker system or other noise associated with the drive-through shall not exceed 50 decibels at any property line of the site.
- D) Drive through facilities, such as aisles, related signage and windows, shall be not be located between the building line and a public street.
- E) Drive through facilities, such as aisles, related signage and windows, shall have a minimum setback of 50 feet to the nearest property line. Where adjacent to a residential use or district, the minimum setback shall be 75 feet.
- F) Vehicle stacking shall not impede or impair access into or out of parking spaces, drive aisles for site circulation, or loading and trash storage areas.

- G) Signage for use by drive-through users shall not face a public street. This shall not apply to directional signs.

Chapter 109. Land Development, Part 4. Zoning, Article XVIII. Outdoor Storage shall be amended and supplemented as follows:

Article XVIII. Requirements for Certain Uses

§ 109-130. Outdoor Storage.

A. Commercial Vehicles in Residential Zones

A commercial vehicle used in connection with a business or a vehicle on which is contained advertising matter intended to promote the interest of a business shall not be parked or stored in a parking area serving the business unless the vehicle is parked in the side or rear yard. In residential zones, not more than one commercial vehicle (any vehicle which is customarily used as a commercial vehicle shall be considered such with or without commercial registration) may be kept on the premises, provided:

1. It does not exceed a rated capacity of 8,500 GVW.
2. It is used by a resident of the premises.
3. It is not parked on the street, and, when parked, is located in the side or rear yard, and not within the front yard.

B. Recreational vehicles, travel trailers and horse trailers.

Recreational vehicles and travel trailers may not be occupied in any zone; however, one unoccupied travel trailer or recreational vehicle or one horse trailer may stand on any lot in a residential zone, provided that the vehicle must either be garaged or stored in a side or rear yard at least 15 feet from any property line.

C. Disabled and nonregistered vehicles.

Disabled and/or nonregistered vehicles may not be stored in any zone except in an enclosed garage, unless the same are awaiting repair at a licensed public garage or unless the same are new vehicles being stored or displayed at an auto sales and showroom. For the purpose of this chapter, the term "disabled" shall refer to a motor vehicle which is in such a state of disrepair that it cannot readily be made operable in conformance with all requirements of the New Jersey Division of Motor Vehicles.

D. Use of trailers in connection with site construction.

The use of trailers in any zone in connection with site construction shall be permitted subject to the following restrictions and regulations:

1. Such trailers shall only be used as temporary sales offices and/or field offices, although not more than one night watchman or similar person may live in temporary residence in such trailer.
2. Such trailers shall not be moved onto a construction site until 90 days prior to the date upon which construction actually commences and shall be removed from such site on or before the issuance of a final certificate of occupancy, unless a later removal is authorized by the Board.
3. A permit for the location and use of any such trailer shall be obtained from the Zoning Officer. Such permit shall be renewed every 12 months.

E. Storage as part of commercial operation.

The outdoor storage or display of any article or material as part of a commercial operation is permitted subject to the following regulations:

1. The outdoor storage of any article or material, other than merchandise for sale on the premises, is permitted in any nonresidential zone, provided that such storage shall be limited to the side and rear yards only and shall be screened by fencing, planting or both along any lot line adjoining a residential zone and elsewhere as approved by the Board. The height of the fence shall be equal to or greater than the height of the material stored, provided that neither the height of the material stored nor of the fence shall exceed six feet. Materials stored outdoors shall be kept in an orderly manner at all times and shall not include any discarded or abandoned articles.
2. Material stored outdoors shall be located at least 10 feet from any property line.
3. The outdoor storage of merchandise for sale on the premises is permitted in the front, side and rear yards of properties in the HC and LI Zones, provided the same is located at least 25 feet from a street right-of-way line and 10 feet from a property line. The area devoted to such storage shall be approved by the Board and shall be screened along any side or rear lot line adjoining a residential zone. The height of the material stored outdoors shall not exceed six feet except in the LI Zone where the height of stored material shall not exceed 25 feet. No article or material shall be stored in any required parking area or so located as to interfere with vehicular or pedestrian traffic movement or safety. In addition, no article or material shall be stored or displayed on a sidewalk.
4. Not more than 50% of any yard shall be devoted to outdoor storage or display.

#### § 109-131. Drive-throughs

In addition to any applicable conditional use or other requirements, drive-throughs shall meet the following standards:

- A) Drive through facilities, such as aisles, related signage and windows, shall be buffered from adjacent residential uses consistent with §109-197.
- B) Stacking for a total of 6 cars shall be provided; stacking may be accommodated in multiple drive-through aisles.
- C) Stacking lanes shall not enter or exit directly into a public street; they shall be integrated with the on-site circulation pattern.
- D) Crosswalks shall be provided where pedestrian traffic may cross drive-through aisles.
- E) Drive through aisles shall have a minimum width of 12 feet.
- F) Drive through aisles shall have a minimum interior curb radius of 10 feet.

§ 109-132. Reserved.

§ 109-133. Reserved.

§ 109-134. Reserved.

#### Section 2:

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

#### Section 3:

This Ordinance shall take effect immediately upon final passage and publication as provided by law, and upon filing a copy thereof with the Hunterdon County Planning Board in accordance with N.J.S.A. 40:55D-16.

*Fisher moved to introduce the Ordinance on first reading and Rich seconded. Motion carried unanimously. The public hearing will be held June 25, 2014.*

## **STANDING COMMITTEE REPORTS**

### **Open Space**

- *Project Status Update:* John Cronce reported on the recent CADB meeting noting that Toll N is moving along rapidly and that Lambert is also moving and will happen.

- *Recommendation Concerning B 28 Lot 35:* The recommendation on this parcel is for a purchase price limit of \$20,000. It is now up to the Township Committee to meet with the Usmiani's and negotiate. Mr. Cronce inquired whether he and Hal Shute could sit in on that discussion and was answered in the affirmative. The Usmiani's will be asked to attend the June 9<sup>th</sup> meeting.

- *Letter of Appreciation:* Mr. Cronce requested that a copy of this letter be provided to the DPW, Police and Administrative staff.

- *Hunting Regulations for 2014-2015 Season:* Dan Malek relayed that there is now a mandated doe harvest and that if there is no compliance, rights to the particular parcel(s) will be lost. The purpose of this is to get the deer population under control. There is also a change on the available parcels--Coleman is out and Wooden N added. Another change is that if a parcel is lost, the group that was hunting it would get the right of first refusal on the next property available. The hunting area on the municipal property has been revised. The 30 acres abutting Mill Road will be for bow and fire arm, the remainder of the property is designated bow only due to the close proximity of houses and the school. A depreciation permit would only be allowed if approved by the Township Committee. If current parcel holders do not renew for 2014-15, then there will be a lottery for the available properties.

### **Recycling**

- *Disposal of Trash from Municipal Dumpsters:* There's been light response to clean up days to date. Therefore, disposal of collected items won't take place until the container is full. A chart of 2013 costs vs revenue was presented. It was also noted that RVD has sent two bills for dry runs, although the material to be hauled was there. No payment is to be made.

- *Cleanup Day Schedule for 2014:* A new flyer listing all upcoming dates has been distributed at the depot. It is also on the website.

## **UNFINISHED BUSINESS**

### **Possible Appointments** – none

**Updates** – 1) The **Construction** (Closed Session/Personnel) was held for later in the meeting. 2) Attorney Faherty is waiting for a return call from Gordon Ball concerning the **ACO-SS Agreement**. 3) Attorney Faherty relayed that more documents are needed for his research on the **Orleans Jurisdictional Agreement**. These include the Declaration of covenants and Restrictions, the By-laws for the homeowner association and the amended Declarations. There is also the issue of conflicting documents signed on the same day. It was also relayed that 'Stage Coach Lane' has been questioned. It appears on the tax map but does not exist as such and that there's been an inquiry over mowing that particular area. 4) Changes have been made to the **Solar Project/PPA** and apparently everyone is happy. However, the status of the lease agreement and whether Brad Campbell had signed it was questioned. The file copy will be checked. 5) The Township is at a decision point as to whether or not to move on the **turf field** that the high school wants to install. There is Green Acres funding available for this but the school has to go through the Township to access it. The prime time for construction is during the winter months and a funding decision will be made in July. The engineering firm involved is Maser, and the person involved is familiar with the process. Support by the Township Committee was sought by the mayor. If yes, a package would be assembled for submission; if not, the project is dead. The outstanding question is if moving forward with this would jeopardize Township Green Acres money. According to an e-mail received from Hal Shute the turf field project would be a new grant application; might have priority; and, did not think it would hurt the Township's program. Mr. Fisher noted that this is something that the high school wants; that there's no cost to the Township; would install good favor; and, saw no reason not to support the school. Mr. Dale concurred so long the Township's Green Acres money was not jeopardized. Mr. Cronce relayed that Open Space is okay with the properties they are looking at and is on board with the referenced project to request funding and get in the pipeline. Mr. Rich stated that he will let the school know of the Committee's support, which will keep the project

moving forward. The application deadline is July 31st. 6) A meeting took place with the person from FM on the firehouse **generator**. FM holds the State contract for generator units, maintenance and installation. The situation was assessed and the recommendation made that the generator be diesel, not natural gas; that a 60 KVA would be sufficient; and, that there be a 40W auto transfer switch. The existing oil tank could be used for diesel fuel supply. An estimate of \$65,000 was given. Questioned as to why diesel instead of gas, Mr. Fisher relayed that the first thing that is shut off in an emergency is the gas line. Going diesel will also eliminate digging up the street for a new gas line. There is \$30,000 in an existing ordinance for a generator and the grant application that is being handled by Harry Heller is due by Friday. 7) For the record, the required inspection of **Calton Dam #1** has been completed by the engineer, signed by the mayor, and sent to Trenton as required.

**Award of Fencing Quote**

RESOLUTION #84-2014

WHEREAS, repairs and modifications are needed to fencing located in Hewitt Park; and

WHEREAS, quotes were solicited and received as follows:

York Fence Construction Co. Inc.	\$5,995.00
Eagle Fence & Supply, Inc.	No response
Tru-Fence	\$4,456.00

WHEREAS, the quotes are under the bid threshold; and

WHEREAS, the apparent low quote was provided by Tru-Fence and a Certificate of Insurance will be required prior to the start of any work; and

WHEREAS, the CFO has certified that funds are available for this expenditure; and

WHEREAS, a Business Registration Certification has been received

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the repairs and modifications to fencing located in Hewitt Park be awarded to Tru-Fence.

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

**Auction Results**

- *Connaught Hill Lots:*

RESOLUTION #85-2014

WHEREAS, the West Amwell Township Committee authorized the auction sale of Block 46 Lots, 5, 6, and 7; and

WHEREAS, the notice of auction was advertised in the Hunterdon County Democrat on May 1, 2014 and May 8, 2014 with affidavits on file of same; and

WHEREAS, the auction of Block 46 Lots 5, 6 and 7 was held on May 16, 2014 in the municipal building with the following results

BIDDER	BID
Gary Hanson	\$2500.00
Jeff Warford	\$3000.00

WHEREAS, a deposit of 10% of the highest bid was received by the Township Clerk

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the bid received from Jeff Warford is hereby accepted

BE IT FURTHER RESOLVED that the closing on Block 46 Lots 5, 6 & 7 is required to take place within thirty days of this award in the offices of Hunt and Faherty.

*The Resolution was approved on motion by Dale, seconded by Fisher. Rich abstained.*

Jeff Warford inquired about perc tests, building removal, etc., and was advised that a variance is required and that nothing can proceed until the closing takes place.

- *Public Surplus*: The matter of the sale of the gas boys was re-visited. Attorney Faherty advised the Township cannot sell the items under what was set for the minimum bid as this was not in the agreement. He will advise on another course of action for the sale of these items.

**Capital Budget** – Estimates were received from Engineer Burr for the proposed work on Rocktown-Lamb. Road and Kari Drive and the condition of each briefly discussed. An old bond ordinance will be amended to provide the funding. Eliminating the Gulick Road chip seal was mentioned with Road Supervisor Hoagland noting that there are many roads in the Township in need of that process. Mr. Rich proposed taking the \$30,000 initially ear-marked for Gulick and using the money for a badly needed pickup truck. Bonding for tractor with boom mower as well as an International truck and plow was decided upon. The former is available through a co-op purchase but latter will have to be bid. Returning to the funding source for the pickup, Mrs. Olsen advised that as of this bill list only \$31,000 is left in the OE line for the remainder of the year. Dan Malek advised that the truck is available on State contract for a good price and that a turnover cycle needs to be established for DPW vehicles. A cash capital ordinance will be prepared for the next meeting and an order placed shortly thereafter as there's a several week wait list. A regular bond ordinance will be requested for the more expensive pieces of equipment mentioned earlier. There was a brief exchange over the condition of the current F350 in that it is not worth the engine repair hit of \$13,000.

A problem raised at an earlier meeting concerning drainage on Route 29 in the area of Old River Road has been reviewed by the Township Engineer. The determination was that the responsibility for addressing the issue lies with NJDOT. The Township Committee members concurred with the engineer's findings and he will be so notified to proceed with a letter to this effect to NJDOT.

**Policy Review** – Held

#### **NEW BUSINESS**

**Service Contract for Recording Laptops** – As the cost was considered high, the decision was to not purchase.

#### **Appoint Alternate Public Defender for June Court**

##### RESOLUTION #86-2014

WHEREAS pursuant to P.L. 1997, c. 256 (N.J.S.A. 2B:24-1), a municipality may employ an attorney-at-law as a public defender; and,

WHEREAS a situation has arisen whereby the appointed public defender is unable to handle a particular case; and

WHEREAS as alternate public defender is required for the June court session; and,

WHEREAS Jeffrey Gonzalez of Gonzalez Law has agreed to handle the specific case as requested by the municipal court

NOW, THEREFORE, BE IT RESOLVED that pursuant to P.L. 1997, c. 256 (N.J.S.A. 2B:24-1), Jeffrey Gonzalez is hereby appointed to handle the specific case as required for the June 2014 court session

*The Resolution was unanimously approved on motion by Fisher, seconded by Dale.*  
Court Administrator Hoagland advised that the \$300 cost would come from the public defender line.

**Professional Services** – Princeton Hydro/Continuation of 319(h) Grant Work: Held

**Receipt of 2013 Audit** – This item was distributed earlier. The Committee was instructed to review the findings as there will be formal acceptance scheduled at a future meeting.

#### **Award of Zero Turn Mower Quote**

##### RESOLUTION #87-2014

WHEREAS, a new commercial grade, 72 inch deck, 35 hp gasoline engine, side discharge Zero Turn mower is needed for the DPW operations; and

WHEREAS, quotes were solicited by the Road Supervisor and received as follows:

Vendor	Model	Price
Betts Equipment, Inc.	Hustler Super Z	\$ 11,229.59
Storr Tractor Co	Toro Groundsmaster 7200 Zee	\$ 17,336.00
Mid-State	Hustler Super Z	\$ 11,500.00

WHEREAS, the quotes are under the bid threshold; and

WHEREAS, the apparent low quote was provided by Betts Equipment; and

WHEREAS, the CFO has certified that funds are available in Ordinance 4, 2014 for this expenditure; and

WHEREAS, a Business Registration Certification has been received

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the quote for a zero turn mower be awarded to Betts Equipment, Inc.

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

#### **Resolutions for Consideration**

- *Preserve & Strengthen NJ's Military and Coast Guard Facilities:* No action taken.

#### **OPEN TO THE PUBLIC** (order of agenda changed)

Court Administrator Lolly Hoagland advised the Committee that the State will be delivering and installing new computers in her office on Tuesday, which is Election day. There is no cost to the Township and the screens will be of the 24" variety.

Dave Beaumont relayed that now that the school budget is settled, the new Board's focus will be educational benefit. His concern was that there will not be the energy for cost containment and suggested that the Township's finance committee could provide assistance as there will be bonds to merge, etc. The Board's focus is students...not the taxpayer. Mr. Fisher cautioned that something like this would have to be presented in the right fashion or it would go nowhere. Mr. Beaumont also inquired about the person to contact regarding an updated sign for the school and was advised to see the zoning official.

*The meeting temporary adjourned at 9:56 p.m., returning at 10:05 p.m.*

#### **Closed Session**

##### RESOLUTION #88-2014

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:  
PROTECTING THE SAFETY & PROPERTY OF THE PUBLIC  
UNWARRANTED INVASION OF PRIVACY  
PERSONNEL  
LITIGATION
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.

*The Resolution was unanimously approved on motion by Dale, seconded by Fisher.*

The meeting returned to Open Session at 11:04 p.m. with the following result:  
Leslie Grillo to be hired to work in the Construction office 15-20 hrs/week for \$15.00/hr. Her title is TBD.

Summer help applications have been received. Mr. Dale and Mr. Hoagland will review and select. The decision will be communicated to the Clerk. The offer to those selected is \$9.00/hr.

**ADMINISTRATIVE REPORTS**

**Treasurer –**

Presentation of Bills for Approval:

RESOLUTION #89-2014

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 \$971,875.36, dated 5/28/2014, 2014, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations.

*Fisher motioned to approve the evening's bills for payment, seconded by Rich, and carried unanimously.*

**Website Review –** No action

**CORRESPONDENCE**

The correspondence as listed on the Agenda was ordered filed.

**ADJOURNMENT**

There being no further business, the meeting was unanimously adjourned at 11:12 p.m. on motion from Fisher.

Respectfully submitted,

---

Lora L. Olsen, RMC  
Township Clerk

APPROVED: June 9, 2014