

WEST AMWELL TOWNSHIP COMMITTEE MEETING

June 25, 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 7:02 p.m. Present were Deputy Mayor George A. Fisher, Committeeman John Dale, Clerk Lora Olsen and Attorney Philip J. Faherty III. Mayor Zachary T. Rich arrived at 8:04 p.m. Also in attendance were Henry K. Smith and several associates, Anthony Ardito, Hal Shute, John Cronce, Cathy Urbanski, Brian Steeg, and Denise Coffey

Deputy Mayor Fisher 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

George Fisher led the assembled group in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following item was deleted: 13.B. Tax Collector

ANNOUNCEMENTS

The following announcements were made:

- Municipal Offices Closed – July 4th for Independence Day
- Hazardous Waste Days – July 12th, & November 8th; Electronics Recycling, October 11th, 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 June 9, 2014 Regular minutes were unanimously approved on motion from Dale, seconded by Fisher.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

Brian Steeg, 31 Barry Road, provided an update on the tree clearing conducted on the Hunter property on Barry Road. He stated that there is now a road wide enough for a train or two extending to a wider area in the back for perc and soil testing for a potential house. Also recapped were issues such as the conservation easement, wetlands, the woodlands management plan and DEP concerns, including soil testing without wetlands delineation. Mr. Steeg also noted that offers to purchase the property from the owner were rejected. He also relayed the opinion that the woodland management plan is being abused as no cleanup has been conducted nor has there been any tending to the forest. DEP and HC Soil Conservation are aware of the situation and are watching. Mr. Steeg suggested that the 40-50 foot wide road violates the intent and questioned the amount of tax dollars that went into the purchase of the conservation easement as well as possible conflict. He also noted that the work affects all the neighbors; there is debris in the roadway; and, that this is more than a minor inconvenience.

Mr. Fisher advised that the Committee is aware of the situation presented but that the owner is permitted to open the old road and has the ability to site a building on a 2 acre exception area based on perc. He also stated that unless there is a violation of an ordinance, any conflict is a civic matter between the neighbors.

John Cronce, on behalf of the Zoning Board, inquired about the status of the requested laptop and was informed that this is in the works.

Denise Coffey, 29 Barry Road, stated that she is an 18 year resident of the Township and wants to make the Committee aware of the disaster with the woods behind her. Proper channels are not being followed; permits are not used as intended to preserve the woods; and, questioned the role of the zoning official in the matter. She also relayed that road clearing was not allowed beyond 12 feet but stands at 50 feet.

Mr. Fisher reiterated that the owner has a floating 2 acre parcel and authority for one home site. There is also the right to build a separate road. The use of the logging road is for access and clearing is allowed. If there was a major subdivision, then the woodlands ordinance would kick in. Mr. Dale offered that the forestry management plan trumps soil conservation and that \$500 has to be made from the property to qualify. Mr. Fisher offered to speak with the Zoning Official.

The Environmental presentation was made at this time due to the need for Mrs. Urbanski to leave the meeting. Details are listed in their normal agenda location.

SPECIAL PRESENTATION(S)

Henry Kent-Smith, an attorney for Quick Chek, addressed the Committee about the current sign ordinance. As background, he noted that there have been technology updates in this area and that they have been to the Zoning Board to get LED replacement signs. The Zoning Board suggested that this request be taken to the Township Committee and/or for a master plan process to evaluate the issue from a policy perspective. He and his colleagues are here tonight to ask for consideration of illuminated signs on Route 31, which is a major highway, as there is a need for businesses to have signs that are both readable and visible, especially as related to that of night-time visibility. Proper signs help with decision making and therefore safer traffic. Mr. Kent-Smith stated that there's been a revolution in the type of signs being used and they are more flexible in intensity. He requested that Jim Ambrose be allowed to describe the flexibility of the LED and show how they provide a lesser glare and are energy efficient.

Mr. Fisher halted the presentation noting that Mr. Kent-Smith is looking for special dispensation but would be better served by going to the Planning Board, as the Chair does this type of thing for a living. This is an interesting topic but there may be a more sympathetic ear at the Planning Board.

Mr. Kent-Smith offered that he would be happy to speak with the Planning Board and will contact the Clerk for further information.

Shirley Bishop re: Proposed New COAH Regulations. This was held for later in the evening pending the mayor's arrival

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Public Hearing: Ordinance 5, 2014 AN ORDINANCE TO AMEND CHAPTER 41 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, HUNTERDON COUNTY NEW JERSEY

Proof of publication in the June 5, 2014 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the May 28, 2014 Township Committee meeting. Mr. Fisher read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was closed.

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

Public Hearing: Ordinance 6, 2014 AN ORDINANCE TO AMEND CHAPTER 109 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL

Proof of publication in the June 5, 2014 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the May 28, 2014 Township Committee meeting and mailed to surrounding municipalities and the Hunterdon County Planning Board. The Ordinance has been reviewed by the Planning Board, found consistent with the Master Plan and adoption recommended. A note received from the Board secretary added that clarification should be made that the only change was to include 'drive-throughs' and that no other language was changed in that section of the ordinance. Mr. Fisher read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was closed.

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

Public Hearing: Ordinance 7, 2014 A CAPITAL ORDINANCE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, AUTHORIZING THE PURCHASE OF A 2015 FORD F350 4WD PICKUP TRUCK AND APPROPRIATING \$35,000.00 FROM THE CAPITAL IMPROVEMENT FUND.

Proof of publication in the June 12, 2014 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at

the June 9, 2014 Township Committee meeting. Mr. Fisher read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was closed.

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

Public Hearing: Ordinance 8, 2014 BOND ORDINANCE AMENDING THE PROJECT DESCRIPTION SET FORTH IN BOND ORDINANCE NUMBERED 10 OF 2011 OF THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY FINALLY ADOPTED JUNE 22, 2011

Proof of publication in the July 12, 2014 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the June 9, 2014 Township Committee meeting. Mr. Fisher read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was closed.

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

Public Hearing: Ordinance 9, 2014 BOND ORDINANCE PROVIDING FOR ACQUISITION OF EQUIPMENT IN AND BY THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$280,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$266,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Proof of publication in the June 12, 2014 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the June 9, 2014 Township Committee meeting. Mr. Fisher read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was closed.

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

Public Hearing: Ordinance 10, 2014 AN ORDINANCE TO AMEND ORDINANCE 1, 2014 TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF OFFICIALS AND EMPLOYEES OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY.

Proof of publication in the June 12, 2014 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the June 9, 2014 Township Committee meeting. Mr. Fisher read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was closed.

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

Introduction: Ordinance 11, 2014

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

AN ORDINANCE TO AMEND CHAPTER 109 OF THE CODE OF THE
TOWSHIP OF WEST AMWELL
(see attached)

Dale moved to introduce the Ordinance on first reading and Fisher seconded. Motion carried unanimously. The public hearing will be held July 23, 2014.

Introduction: Ordinance 12, 2014

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

AN ORDINANCE AMENDING CHAPTER 53 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL – Alcoholic Beverages

BE IT ORDAINED by the Township Committee of the Township of West Amwell, Hunterdon County, New Jersey, that said Ordinance is amended as follows:

Section 1. Article I **Licenses**

53-5. Hours of sale.

No licensee shall sell, serve, deliver or allow, permit or suffer the sale, service or delivery of alcoholic beverages on the licensed premises on any day of the week between the hours of 12:00 midnight and 9:00 a.m., Monday through Saturday, and 12:00 midnight through 10:00 a.m. Sunday, prevailing time. During the hours that sales of alcoholic beverages are prohibited, as hereinbefore provided, that part of the licensed premises containing the bar proper shall be closed and no person shall be admitted or permitted to remain therein, except the licensee or bona fide employees; provided, however, that this chapter shall not prohibit the sale of food on other parts of the licensed premises.

Section 2. This Ordinance shall take effect after final adoption and publication according to the laws of the State of New Jersey and shall be made part of the Code of the Township of West Amwell.

Dale moved to introduce the Ordinance on first reading and Fisher seconded. Motion carried unanimously. The public hearing will be held July 23, 2014.

A temporary adjournment was approved at 7:56 p.m. The meeting resumed at 8:05 p.m.

The Mayor arrived and stated that: 1) due to work commitments, a new baby on the way and another family issue, he'll be stepping down as mayor; 2) he'd like the meeting time to be changed to 7:30 p.m.; and, 3) requested that a ballot question for a 5 man committee be placed on the November ballot. Discussion ensued concerning process for the first item, which entails the submission of a written resignation and the subsequent appointment of a new mayor. Resolutions to accomplish the second and third requests will be placed on the July agenda.

The idea of a 5 man committee was met with general agreement, with former mayor John Cronce weighing in that the time has come for this. The ballot question would be non-binding. A question on procedure will be researched.

Shirley Bishop came forward to present information on COAH's proposed new 3rd round rules, noting that they are complicated. There has been no direction given to planners or attorneys at this point, so the information provided is her interpretation and is focused on West Amwell. The proposed rules have three parts—rehab, prospective need and unanswered prior round obligations. Per these rules, West Amwell has a zero rehabilitation obligation, a 37-unit prospective need obligation and an unanswered prior round obligation of 31 units. Only half of the 31 units (16) must be addressed between 2014 and 2024. The balance (15 units) is addressed between 2014 and 2034. The lack of rehabs was questioned and Mrs. Bishop suggested that comments be submitted to COAH. Another question is why the 7/1/2014 cut off for rehabs was applied. She will prepare appropriate comments for the Committee's consideration.

Mrs. Bishop continued that West Amwell has a certified 3rd round plan and proceeded to overview the projects that were included in that plan. The 3 bedroom SERV project was completed after the plan was certified, which means that West Amwell has completed 32 units of affordable housing. However, COAH only credited 17 units of completed affordable housing in its calculation of unanswered prior need. As for RCAs, these were not credited to the sending municipalities and as a result, COAH is expected to correct the RCA list to revise the completed affordable housing unit list. This should change the Township's unanswered prior obligation with any surplus being credited towards prospective need. Mrs. Bishop's also noted that COAH has a term called 'substantial compliance' that reduces the unanswered prior obligation. Because the Township addressed its entire prior round obligation (1987-1999), it is entitled to a 20 percent reduction for unanswered prior round obligation, which should be less than 31 units with the RCA reduction and the substantial compliance reduction. However, COAH has a new calculation called Buildable Limit Capacity and has assigned West Amwell a BLC of 68 units. She relayed that COAH divided the State into areas to arrive at densities. Mrs. Bishop recommendation is to submit an OPRA request for the data that was used in the assignment of 68 units.

To meet prospective need, only four options are offered to municipalities. These include inclusionary zoning, community residences for the developmentally disabled, 100 percent municipal construction and redevelopment. The inclusionary zoning has to be site specific and is what is being pushed. The offered techniques eliminate rental bonuses, rental obligation, family requirement, accessory apartments, market to affordable programs, permanent supportive housing, affordable housing opportunities, minimum densities, assisted living residences and extension of expiring controls. If the Township does nothing, there's the builder's remedy route. Again, Mrs. Bishop urged that comments be submitted to COAH about expanding available options. She also noted that Fair Share Housing has brought a lawsuit that the numbers are too low and not similar to the 2nd round. The NJ Builders Association is also

planning to file a lawsuit with the NJ Supreme Court, also citing that the numbers are too low.

Mrs. Bishop advised that the Township should move on their certified plan as well as another group home. Important dates are the public hearing scheduled for July 2nd, August 1st for the receipt of comments, and the possible Supreme Court decision on November 17th. Municipal plans will be due by May 15, 2015. Comments need to be prepared now but Mrs. Bishop advised against doing anything until after November 17th.

With appreciation extended for the presentation, Mrs. Bishop left the meeting.

STANDING COMMITTEE REPORTS

Open Space

- *Project Status Updates:* John Cronce and Hal Shute came forward with the following: The **Lambert** application has been filed with the State and the **Hewitt Road property** has been turned in with the help of Liz Usmiani. As to a proposed closing date for the former Toll property, Attorney Faherty explained that the title company has been contacted concerning the two exception areas. Mrs. Urbanski has also provided information concerning this. The SADC letter and information about the public access easement will also be provided to them. Hopefully, this will satisfy their concerns as lot 36 is part of the ROSI and we can't eliminate it. A mid-July closing is anticipated. Mr. Shute noted that the comps from this project have been helpful with the Lambert appraisal. Mr. Cronce questioned the exception as Green Acres has nothing to do with it. He was advised that it placed a cloud on the title per the title company, with Mr. Shute commenting that it should have been left off the ROSI. **Toll North's** contract is in review. Mr. Shute also noted that the State is reviewing all unallocated/uncommitted funding. The Township has \$1.25 million uncommitted State funds at this time but there's now \$250,000 for Lambert, so there's a million dollars left. There are talks with land owners and obviously Toll North needs to be nailed down. To date, the Township has had good luck with the County and others, with very little Township money expended.

Mayor Rich spoke about the Barry Road situation and the Township's angle is the easement. DEP rules, however, as to the woodlands management plan. He also relayed that Bill Burr has been on site and has met with Mr. Etchells. Basically the work that has been done involves cleaning the old farm lane for approximately 1000 feet and includes an open area for the planned perc tests. Supposedly no healthy, native trees were removed during the process. As to whether the tree clearing activities are in accordance with the Woodlands Plan, the NJDEP Regional Forester has been contacted to inspect the property the week of July 7th. A notice from NJDEP will be sent to Mr. Etchells, with a copy to the Township, advising of the inspection date. This is the entity that has ultimate jurisdiction on whether the work completed to date conforms with the WMP. Mr. Etchells has also been advised that he needs to engage his engineer to locate the wetlands and any other environmentally regulated features prior to progressing with any perc test related work, since this would no longer fall under the protections of the WMP. A determination has to be made that not only are perc tests made in unregulated areas but also that access to same can be made without disturbing regulated features.

Environmental (This report was made earlier in the meeting as the Chair had to leave.)

- *Authorization to Post May 8, 2014 Minutes to Website:* Approved

- *Letter to DEP Concerning 319 Grant Partnership with SHRHS:* Mrs. Urbanski spoke briefly about the proposed project with the science department at South stating that it is a perfect community project and would enhance the Alexauken Creek monitoring program. A letter concerning this has been sent to DEP.

- *Newsletter – Comments from Princeton Hydro & Hunterdon Cty Printing Dept.:* Kudos are coming in concerning the recent newsletter. Mrs. Urbanski relayed that Dr. Souza suggested that it be sent to DEP and an Environment Commission member shared a copy with Holland Township and they love it!

- *Authorization to Post NRI and Recent Newsletter on the EC Website Page:* The NRI will need to be amended after the woodland ordinance is approved. It is currently on the website but Mrs. Urbanski requested that it be posted to the environmental page. Approved

Finance Advisory

- *Authorization to Post April 16, 2014 Minutes to Website:* Approved

Mr. Rich inquired about getting the Township credit rating upgraded. Mr. Shute relayed that they don't want to do now as it costs money. However, if the Township goes out to bond, the credit rates will be updated then...unless something can be done in-house by one of the members now to help things along.

UNFINISHED BUSINESS

2013 Audit - Auditor Anthony Ardito stated that the audit was issued in mid-April and expressed

appreciation to Lora, Sandy and Tom for an efficient and smooth audit season. He also commented that the Township has a fine staff. The only recommendation concerned public assistance and getting that account closed out. He then overviewed the Township's financial health, noting specifically the \$833,000 in surplus and the historical use of approximately 40% a year for budgetary purposes. Overall, a good job; the 2014 budget is in good shape; the Township's on good footing; and, credit is due to the staff as they know what they're doing. Appreciation was extended to Mr. Ardito for attending this evening and providing the report.

- *Resolution:*

RESOLUTION #97-2014

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of West Amwell, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

- *Affidavit by Committee:*

STATE OF NEW JERSEY
COUNTY OF HUNTERDON

We, members of the governing body of the Township of West Amwell, in the County of Hunterdon, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Township Committee of the Township of West Amwell in the county of Hunterdon;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2013);
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.) /s/ <i>Zachary J. Rich</i>	(L.S.)
(L.S.) /s/ <i>George A. Fisher</i>	(L.S.)
(L.S.) /s/ <i>John Dale</i>	(L.S.)
(L.S.)	(L.S.)
(L.S.)	(L.S.)

_____/s *Lora L. Olsen*_____
Lora L. Olsen, Clerk

Sworn to and subscribed before me this _____ Day of _____

Notary Public of New Jersey

- *Corrective Action Plan*: The Corrective Action Plan as prepared by CFO Carro was presented and unanimously approved on motion by Fisher, seconded by Rich. (see attached)

Possible Appointments – None

Updates – 1) Mr. Fisher reported on the status of the **generator** investigation. A meeting was held with the FM generator people and the situation was reviewed again. It was determined that a 60KW generator will be sufficient to power the firehouse. An automatic transfer switch will be used. The choice remains between diesel and natural gas. The former is pushed by the company as it is cheaper; there would be no change to the building; and, control over the fuel. Other work to be done includes wiring and the pad. However, Chief Ent is not happy with this direction. Therefore, a quote was solicited for natural gas. Elizabethtown has to extend the service and regulators would be needed on the individual appliances as the new service would have greater pressure. An estimate of \$3500 for this was obtained. A natural gas generator costs \$10,000 more but Mr. Fisher was able to add the kitchen steam table and proposed police furnace in an attempt to eliminate the \$3400 service charge for the new service. The construction official has advised that regulation can be made upon entrance for the entire building for the gas generator which brings the cost between the two in line. The good news concerning natural gas is that it is on in an emergency. However, the final decision is a toss-up until word is received from the gas company and the numbers are run again. 2) The status of the **closing** on Block 8 Lots 20 & 36 was discussed earlier in the evening. 3) Attorney Faherty reported that he met with no success with Mr. Ball concerning **ACO/Shared Service** and will inform Lambertville and Delaware Township of same. 4) Attorney Faherty relayed receiving the requested documents for his **Orleans jurisdictional agreement** research. 5) Mr. Fisher reported that he met with Mr. Hoagland concerning the **firehouse handicapped door** and no problem was discerned. The lip that is there is just enough to seal against weather and the door is wide enough for wheel chair access. 6) Mr. Rich met with those involved in the **turf field** endeavor to work out remaining issues, assuring the Committeemen that the Township will have no liability or responsibility in the matter. The agreement is down to basics and the mayor would like Attorney Faherty to review. The application is due by the end of July.

A recent wrinkle has cropped up in that Green Acres is now saying that those in Hunterdon County will not have a shot for this grant. However, South wants to keep moving forward. If Attorney Faherty is okay with the agreement, it'll go back to the school for the next step. There was general consensus that the Township will do its part to keep things alive.

Resolution for Sale of Gas Boy Units –

RESOLUTION #98-2014

WHEREAS, the Township of West Amwell has certain pieces of equipment through purchase for a particular use; and

WHEREAS, the Township Committee has determined that said equipment is no longer needed for public purposes

BE IT RESOLVED, that the following equipment be sold pursuant to N.J.S. 40A:12-13 at public sale to the highest bidder, after public advertisement thereof, in the Hunterdon County Democrat and the Trenton Times on the 3rd day of July, 2014 and the 10th day of July, 2014, said sale to take place at the Township's Municipal Building, 150 Rocktown-Lambertville Road on the 22nd day of July, 2014 at 1:00 o'clock P.M.

Equipment Types

- 1) Gas Boy – diesel
- 2) Gas Boy - gasoline

At the time of sale, purchasers will be required to deposit with the Township Clerk ten percent (10%) of the bid price. The remainder shall be due at or before conveyance to purchaser.

Equipment shall be removed with thirty (30) days of the date a bid is accepted by the Township.

The Township reserves the right to reject any or all bids pursuant to N.J.S. 40A:12-13 (upon completion of the bidding, the highest bid may be accepted or all bids may be rejected).

Purchasers accept the equipment as is.

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

Policy Review - Held

Closed Session – Rice notices were provided to Chris Rose, Leslie Grillo, Pam Williamson and Regina Taylor. Only Ms. Taylor has requested to attend.

RESOLUTION #99-2014

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:

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 Rich, seconded by Fisher.
The meeting returned to Open Session at 10 p.m.

NEW BUSINESS

Liquor License Renewal Resolution –

RESOLUTION #100-2014

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

BE IT RESOLVED by the Township Committee of the Township of West Amwell pursuant to an act entitled "An Act Concerning Alcoholic Beverages" passed December 6, 1933 and amendments thereof and supplements thereto is hereby authorized to issue a license for the sale of alcoholic beverages in the Township of West Amwell, subject to the conditions prescribed in an Ordinance of the Township of West Amwell dated March 1, 1963, amended February 21, 1969, October 5, 1978, April 2, 1981, February 3, 1983, August 18, 1999, April 18, 2001, April 3, 2002, October 19, 2005, July 19, 2006, March 7, 2007, and further amended on December 27-2012.

BE IT FURTHER RESOLVED that, subject to the aforesaid conditions, the following Plenary Retail Consumption License be granted, the fee being \$2500.00 per year, effective date being July 1, 2014, Pine Creek Liquors, Inc., 394 Route 31, West Amwell Township, NJ license #1026-33-001-007. Governing Body of the said Township be and is hereby authorized to sign said license

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

Solid Waste/Recycling/Clean up Discussion – A possible discount for purchasing a cleanup permit when renewing the annual trash permit was briefly discussed. As the current fee pays for the dumping cost, the idea was nixed. New signs have been posted that permits are available. Whether this information is also on the website will be checked. As for renewing permits on site, concern has been raised previously about what is done with the money over the weekend. Renewals can be made by mail with the proper information.

Police Department – A request for the consideration Sergeant positions has been advanced. This is to reduce civil liability as Sergeants are recognized as command personnel and would also bring the department up to par with surrounding municipalities. There is also an opportunity to acquire a third part-timer. Both requests met with approval. A brief discussion about the possible merged of forces ensued.

OPEN TO THE PUBLIC

There was no public in attendance, Mr. Rich mentioned the JCP&L project and the need to keep things moving. JCP&L received Planning Board approval to expand their substation on Rocktown-Lamb Road and are now working on revising the site plans to address the various conditions of the Board's approval. They raised a couple of questions: 1) If the Township has any existing facilities near the substation that could be used as a temporary storage yard for equipment, materials and supplies and if the Township would be willing to allow them to use some land near the building. The mayor suggested that they be allowed to park on the pad Monday through Friday and at the Road Department on Saturdays. There was no objection to this plan. Mr. Hoagland will be contacted. 2) JCP&L is also required to provide landscape mitigation, which is something normally done on site. However, there is no room on their property for additional plants, so they need to plant new landscaping on other Township-owned lands. The suggestion that this be done on the municipal building property was met with concurrence.

ADMINISTRATIVE REPORTS

Treasurer –

RESOLUTION #101 -2014

WHEREAS, it has been determined by the Zoning Board of Adjustment of West Amwell Township that the following applicant's escrow fees are in excess of what was needed to cover their charges, and

WHEREAS, the Zoning Board has approved a refund of the following amount;

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 amount to the applicants:

Applicant
Lynn Ziegenfuss/Green Power

Amount Refunded
\$3411.25

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

Presentation of Bills for Approval:

RESOLUTION #102-2014

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 \$227,442.68, dated June 25, 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. Dale provided the second. Motion carried unanimously.

Treasurer Report: Appropriations through June 25, 2014 were provided and reviewed. The report was accepted as received.

Results of BAN Sale: The award went to Hopewell Valley Community Bank at an interest rate of .75%. The term is one year. The closing date is June 26th.

Website Review – none

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 10:18 p.m. on motion from Rich.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk

APPROVED: July 23, 2014