

SPECIAL WEST AMWELL TOWNSHIP COMMITTEE MEETING

August 14, 2014 – 7:30 p.m.

The West Amwell Township Committee met on the above date and the meeting called to order at 7:33 p.m. by Mayor George Fisher. Present: Mayor Fisher, Committeemen Rich and Dale, Attorney Faherty and Clerk Lora Olsen. Also in attendance were Andrea Kahn of McManimon, Scotland & Baumann and Mary Lyons of Phoenix, Hal Shute and Dave Beaumont

In compliance with the Public Meetings Act, Mayor Fisher announced that this Special Meeting was called pursuant to the provisions of the Open Public Meetings Act with notices faxed to the Hunterdon County Democrat and the Trenton Times on July 25, 2014 with revised notice faxed to same and posted on August 8, 2014. 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.

PROPOSED APPLICATION TO THE GREEN ACRES PROGRAM FOR LOCAL GOVERNMENT ASSISTANCE TO DEVELOP RECREATIONAL FACILITIES AT SOUTH HUNTERDON HIGH SCHOOL:

An overview of the project that highlighted the required Green Acres talking points was presented by Committeeman Rich. Copies of the proposed field configuration were available to those in attendance. Notice of this public hearing was placed in the July 30th edition of the Trenton Times. Mayor Fisher added that the Township is making the application but the school gets the funding. However, the funding would be in the form of a low interest loan, not a grant. There is no final decision on the project by the school, according to Mr. Rich, but the Township Committee's approval would allow the application to go forward.

The public hearing was then opened and the following comments made:

Hal Shute urged caution in dealing with the State, referencing problems encountered with a property on the ROSI that caused problems some years back. He advised that tabling the matter if there is uncertainty about how this would be handled, noting that it would be the Township who would get the loan.

Attorney Faherty questioned whether the school would continue with the project should the application not be approved.

Mr. Rich advised that if nothing is done tonight, the project is done, with Mr. Fisher commenting that the Township would then be the reason the school doesn't get the field.

Dave Beaumont came forward as a taxpayer and relayed that if this was a grant, there would be no argument but there is some question about whether it would be a grant or a loan. He questioned what the latter would mean to the taxpayer over the next 20 years and concluded with an estimated increase of \$100.00 per year. He also inquired what is being solved or improved that's worth an extra \$100/year. Mr. Beaumont noted that there are drainage problems; questioned whether this would be solved under the plan; and, whether the new field would be less or more expensive to maintain than the current one. Although he has no position on this project as yet, he questioned if it is up to the school to do the loan, how this would be accomplished; whether there would be a referendum; and, if the loan would push the 2% budget limit.

Committeeman Dale commented that this was his question as well as this would be a capital improvement.

The following **Resolution of Support** was presented for consideration:

RESOLUTION #121-2014
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations

for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of West Amwell desires to further the public interest by obtaining funding in the amount of \$2,163,000.00 from the State to fund the following project(s): development of recreational facilities at South Hunterdon Regional High School at a cost of \$2,162,134.44;

NOW, THEREFORE, the governing body/board resolves that Lora Olsen, RMC or the successor to the office of Township Clerk is hereby authorized to:

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

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

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

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

1. That the Township Clerk of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as South Hunterdon Regional High School Track & Turf Field;
2. N/A. Applicant is eligible for loan funding;
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

Fisher motioned to table the Resolution pending more information and Dale seconded. Motion was unanimously approved.

AWARD OF IN-CAR POLICE COMPUTERS:

RESOLUTION #122-2014

WHEREAS, the Township Police Department has need of six (6) in-car computers; and

WHEREAS, quotes were solicited by Captain Bartzak and received as follows:

Vendor	Model	Price
OC Rugged Laptops	Panasonic Toughbook CF-30	\$5,832.00
Rugged Notebooks	Panasonic Toughbook CF-30	\$6,635.88
Touch Rugged Laptops	Panasonic Toughbook CF-30	\$7,949.82

WHEREAS, the quotes are under the bid threshold; and

WHEREAS, the apparent low quote was provided by OC Rugged Laptops; 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 six Panasonic Toughbook CF-30 be awarded to OC Rugged Laptops, quote #2265

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

AWARD OF TREE REMOVAL QUOTE:

RESOLUTION #123-2014

WHEREAS, the trees have to be removed to make room for a new generator and safety concerns at the Township Police-Fire-OEM facility at 24 Mt. Airy Village Road; and

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

Vendor	Price
Hartel Tree Service	\$2,975 (if both at same time)
SavaTree	\$6,939

WHEREAS, the quotes are under the bid threshold; and

WHEREAS, the apparent low quote was provided by Hartel Tree Service; and

WHEREAS, the CFO has certified that funds are available in Buildings & Grounds OE for this expenditure; and

WHEREAS, a Business Registration Certification is not required as the quote is under \$3,000

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the quote for the removal of two trees at the municipal police-fire-oem facility be awarded to Hartel Tree Service in the amount of \$2,975.

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

INTRODUCTION: Ordinance 16, 2014

Prior to introduction, Mrs. Olsen announced that the required Supplementary Debt Statement was filed in her office as of this date.

Andrea Kahn advised that the bond ordinance will provide funding to pay the deferred school tax. The deficit is due to the regionalization of the schools whereby the local school is no longer around to raise taxes for subsequent years. She noted that the CFO and the Auditor have had conversations with the Local Final Board (LFB) about this situation. The ordinance can be introduced but not adopted without LFB approval. Ms. Kahn relayed that the LFB Director, as result of the referenced conversations, is willing to approve adoption with a pay back over a 10 year period. Although the deferment resulted in the regional rate decreasing for the year, and provided property tax relief, the rate will increase next year. Ms. Kahn also mentioned at the next meeting there will be another bond ordinance refinancing a 2006 ordinance when callable which will offset this bond and providing some savings. Both bond ordinances would receive public hearing after the LFB hearing, with the plan being to fund the two bond ordinances together.

Mary Lyons relayed that the rate on the 2006 bond is 4.375% and anticipates a new rate of around 2.5%. Ms. Lyons then spoke about the advantages of combining the two issues which include larger interest from the banking community and reduced cost, as there are not a lot of banks willing to participate for this length of time. A five page handout was presented that detailed tax impact and projected savings for stand-alone and combined bond issues as well as debt service comparison and a summary of bonds refunded. She also explained the bond schedule and what can and cannot be done. If the refunding is done now at a rate of around 3%, there will be savings on issuance cost, which will offset new interest on the tax levy.

Ms. Kahn reviewed the proposed schedule of events: 1) Introduce deferred tax bond on first reading, with a public hearing after the LFB meeting in September; and, 2) adopt a resolution to the LFB to authorize the application. The 2006 bond does not need an application to the LFB, due to a change in the law, although it must be approved by them. The refunding bond ordinance would need to be approved by the Township Committee. After adoption, there would be a sale of obligations, probably in December, of the combined issue...or a decision made to stay with notes and pay down yearly. A decision on this can be made later and a form of resolution prepared at that time. Ms. Kahn advised that the CFO has until the end of the year to pay the deferred taxes but advised not to wait too long. Once the ordinance is adopted, a decision will be needed as to how much to finance, when, and the manner of same.

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

Title: Refunding Bond Ordinance Providing for the Refunding of the West Amwell Township Local School District Deferred Tax Levy by the Township of West Amwell, in the County of Hunterdon, New Jersey, Appropriating \$990,000 Therefor and Authorizing the Issuance of \$990,000 Bonds or Notes of the Township for Financing the Cost Thereof (copy attached)

Rich moved to introduce the Ordinance on first reading and Fisher seconded. Motion carried unanimously. The public hearing will be held September 24, 2014.

In order that application can be made to the Local Finance Board, the following resolution was presented.

RESOLUTION #124-2014
**RESOLUTION OF THE TOWNSHIP OF WEST AMWELL, IN THE
COUNTY OF HUNTERDON, NEW JERSEY MAKING APPLICATION
TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51**

WHEREAS, the Township of West Amwell, in the County of Hunterdon, New Jersey (the "Township") desires to make application to the Local Finance Board pursuant to N.J.S.A. 40A:2-51 for its review and approval of a refunding bond ordinance pursuant to NJSA 40:2-51 to refund the deferred West Amwell Township local school district tax levy; and

WHEREAS, the Township believes that:

- (a) it is in the public interest to accomplish this purpose;
- (b) the purpose is for the health, the welfare, the convenience or the betterment of the inhabitants of the Township;
- (c) the amounts to be expended for the purpose are not unreasonable or exorbitant; and
- (d) the purpose is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township;

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

Section 1. The application to the Local Finance Board is hereby approved, and the Township's Bond Counsel, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Clerk of the Township is hereby directed to prepare and to file copies of the proposed bond ordinance with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and approvals as provided by the applicable New Jersey Statute.

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

OPEN TO THE PUBLIC:

Mr. Beaumont questioned the \$990,000 amount as to whether this was for the school plus surplus. He was advised that the school money was already appropriated. Basically, this is a cash flow problem due to the alignment of receipts.

ADJOURNMENT:

There being no further business, the meeting was unanimously adjourned at 8:20 p.m. on motion by Dale.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk

APPROVED: August 27, 2014