

WEST AMWELL TOWNSHIP COMMITTEE MEETING

August 27, 2014 - 7:30 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 7:35 p.m. Present were Mayor George A. Fisher, Committeeman John Dale, Clerk Lora Olsen and Attorney Philip J. Faherty III. Deputy Mayor Zachary T. Rich was excused. Also in attendance were Captain Stephen J. Bartzak, Matthew Kelly, Dan Seiter, Celeste Mosley, Sea Pfeiffer, Dave Beaumont, Ron Shapella, John Cronce, Cathy Urbanski, Rob Tomenchok, Hal Shute and Cliff Wilson

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

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

AGENDA REVIEW BY TOWNSHIP CLERK – no additions

ANNOUNCEMENTS

The following announcements were made by Mayor Fisher:

- Hazardous Waste Day – 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

CLOSED SESSION

RESOLUTION #125-2014

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
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 7:53 p.m. with the following results:

RESOLUTION #126-2014

WHEREAS, there exists an opening for an Officer in the Township Police Department; and

WHEREAS, Matthew J. Kelly has submitted an application for employment and has been recommended, following a background investigation, by Captain Stephen J. Bartzak to fill this open position; and

WHEREAS, Matthew J. Kelly has been interviewed by the Township Committee; and

WHEREAS, the Township Committee is in agreement with Captain Bartzak that Matthew J. Kelly be hired as a Patrolman and will be a probationary employee for one year

THEREFORE BE IT RESOLVED, by the West Amwell Township Committee, that Matthew J. Kelly be appointed to the position of Patrolman (probationary) effective September 8, 2014

BE IT FURTHER RESOLVED that a pro-rated salary of \$45,547.00 be paid for this position in accordance with the police contract

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

RESOLUTION #127-2014

WHEREAS, a decision was made by the West Amwell Township Committee, upon recommendation from Captain Bartzak, to fill the position of Sergeant in the police department; and

WHEREAS, the position of Sergeant is to address liability issues and the policies of the Attorney General for designated supervisors; and

WHEREAS, it is the considered opinion of the governing body that this position be filled

NOW, THEREFORE BE IT RESOLVED, by the West Amwell Township Committee, that the following Corporals be appointed to the position of Sergeant:

Corporal Timothy Vanselous
Corporal Jeffrey S. Jones

BE IT FURTHER RESOLVED that both officers will serve a probationary period of one year with quarterly performance evaluations in this position

BE IT FURTHER RESOLVED, that these appointments be effective as of October 13, 2014

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

RESOLUTION #128-2014

WHEREAS, a decision was made by the West Amwell Township Committee, upon recommendation from Captain Bartzak, to authorize the position of Detective in the police department; and

WHEREAS, it is the considered opinion of the governing body that this position be filled; and

WHEREAS, this appointed position is not be construed as a promotion nor is there to be extra pay involved

NOW, THEREFORE BE IT RESOLVED, by the West Amwell Township Committee, that the following patrolman be appointed to the position of Detective:

Patrolman 1st Class Edward J. Skillman, III

BE IT FURTHER RESOLVED, that the officer will serve a probationary period of one year with quarterly performance evaluations in this position

BE IT FURTHER RESOLVED, that this appointment be effective September 1, 2014

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

RESOLUTION #129-2014

WHEREAS, the West Amwell Township Committee has determined that an additional Class II Special Officer would be beneficial to the Police Department; and

WHEREAS, the Township Committee, upon recommendation from Captain Stephen J. Bartzak, decided that Paul Wolf would be an excellent choice for the stated position; and,

WHEREAS, Paul Wolf has been offered, and accepted, this position

THEREFORE, BE IT RESOLVED that Paul Wolf be hired as a Class II Special Officer, effective September 2, 2014

BE IT FURTHER RESOLVED that Paul Wolf receive \$20.62/hr in line with the S & W ordinance currently in effect.

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

PRESENTATION OF MINUTES

The following Regular, Special and Closed Session minutes were unanimously approved on motion from Dale, seconded by Fisher.

July 23, 2014 Regular Meeting minutes
July 23, 2014 Closed Session minutes
July 28, 2014 Special Meeting minutes
July 28, 2014 Closed Session minutes (Contract Negotiations)
August 14, 2014 Special Meeting minutes

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

Celeste Mosley and Dan Seiter from the South Board of Education approached the Committee about the Green Acres/Turf Field application. The application and subsequent funding has to come through the Township and both stated that their interest was for a grant only. Mr. Fisher relayed that this item was tabled at the August 14th meeting due to concerns over Township financial liability with a loan and that no one from the school was in attendance to answer questions. Although the Green Acres deadline was missed, Bill Burr of Maser Consulting has been in contact with them and they are willing to accept the application as long as the remaining materials are submitted as soon as possible. However, they were not in favor of waiting until the Township's regularly scheduled meeting on the 24th. A special meeting would need to be scheduled the week of September 15th. Given the 15 day advance advertisement requirement for the public hearing and resolution adoption, a meeting date of September 18th was set. Appreciation was expressed to the Committee for their flexibility in this matter.

Bruce Gage inquired about the PennEast pipeline and if any information was available. Mr. Gage expressed concern about wetlands and preserved properties. He was advised that the principles are to attend the September 24th meeting. A map of the proposed preliminary route will be posted on the website.

SPECIAL PRESENTATION(S) - none

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Public Hearing: Ordinance 11, 2014 (continued) AN ORDINANCE TO AMEND CHAPTER 109 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL – Environmental Features

Correspondence was received from the Planning Board relaying that the Ordinance has been reviewed, found consistent with the Master Plan, and adoption recommended. The public hearing was continued.

Ron Shapella, 26 Lakeview Drive, spoke about the Woodlands portion of the ordinance, noting that in 2006 the Township created an ordinance consistent with the Master Plan. The Master Plan has very specific and strong language about protecting the woodlands in West Amwell and this ordinance was part of the municipal toolbox from the County. The changes that have been made weaken the ordinance greatly, especially the removal of the 10% threshold for priority woodlands. This threshold was a key part of the ordinance because priority woodlands encompass the entire Sourland ridge, as well as a few other places in the township. These are places where there's a confluence of important environmental features, such as endangered species, stream corridors, steep slopes, etc., things that the township wanted to protect from development. Thus, the 10% threshold in these areas. Mr. Shapella then commented on the removal of minor subdivisions from the ordinance stating that there's a tendency to think that these hurt small land owners. He noted that even with a submittal for a minor subdivision, there's still professionals to be hired, which is a significant expense, and is of the opinion that the added expense of complying with this ordinance would be relatively minor. He stated that the rationale for weakening the ordinance, as discerned at an Environmental Commission meeting, is that development in the Sourlands is unlikely due to poor soils and large rocks. He

then referred the Orleans development noting that when a developer wants to develop they blow up the rocks and put in extravagant mounded septic systems that look like ski slopes. Also relayed was that there are still some large tracts in the Sourlands susceptible to large scale development. Mr. Shapella encouraged the Township Committee to retain the 10% threshold on the removal of woodlands in the priority areas and re-instate the provision for minor subdivisions.

Cliff Wilson, President of Sourlands Conservancy, a nonprofit organization with headquarters in Hopewell, came forward and stated his address as 519 Hollow Road, Skillman. Mr. Wilson relayed that the Sourland forest is an important regional as well as local resource. It's the largest contiguous forest remaining in central NJ and contains many important environmental features including habitat and threatened wildlife. The trees in the Sourlands are healthy but the forest itself is dying primarily because of deer damage and development. Mr. Wilson noted that West Amwell, for the most part, has been very strong in protecting the Sourlands and currently has strong woodlands and stream corridor protections. He also relayed that within the last few years, the township has endorsed the Comprehensive Management Plan for the Sourlands, which was a joint effort of 5 municipalities. Given this history, the Conservancy was surprised and disappointed to hear about the proposed weakening of the Township's woodlands protection of the Sourlands and are of the understanding that it is not consistent with the Sourlands Comprehensive Management Plan endorsed just a few years ago. The Sourlands Conservancy understands property rights; are not in favor of taking them away; and, recognize landowner rights to develop their land in accordance with applicable zoning. However, it is critical that any development in the Sourlands be done in a way that is sensitive to the environmental context. This is not the place for a home with a big lawn. Leaving as many trees as possible when developing is a common sense requirement that does not impose an onerous burden on developers. The Sourlands Conservancy has among its members approximately 40 West Amwell households but given the short notice were unable to mobilize attendance. It was his hope that adoption can be scheduled for another meeting in order to give others a chance to voice their opinion on this. Mr. Wilson continued that he was in support of the previous speaker in that the 10% threshold seems very consistent with the goals of environmental protection and that his understanding of the new ordinance is that it would allow up to 17% of trees to be removed. This is a large difference and he was hopeful that the Township Committee would think about changing that particular requirement.

Rob Tomenchok, 145 Rocktown-Lamb. Road, Planning Board Chair, and Cathy Urbanski, 65 Rocktown-Lamb. Road, Environmental Commission Chair, came forward in support of the ordinance. Mr. Tomenchok proceeded to address the specific concerns raised and requested that his remarks be made part of the minutes. The first concern was that the ordinance was 'too difficult to understand.' What was said at the meeting was that the ordinance was poorly written and needlessly complex. There was a challenge issued to the reviewers to read it start to finish in one sitting but no one was able or willing to do so. The goal of the revision throughout the past has been to preserve the overall intent of the ordinance and at the same time simplify and clarify the content. Another criticism was that we did not contact previous authors. The turgid nature, weak logic and poor construction of the original ordinance speak for itself. Why would we want more of the same? The Planning Board empanelled a sub-committee to review the ordinance. The changes were affected with the input of our Planner and Engineer and throughout the process they reported their progress to, and sought guidance from, the full Board. Once the Planning Board was satisfied with the changes, it was submitted to the Environmental Commission for their approval.

Mrs. Urbanski addressed the West Amwell Facebook, although it is not West Amwell's facebook, posting written by Mr. Shapella. The entries mainly speak to his concern over reduced effectiveness and that ½ of the trees could be clear cut by a developer. As this is posted for people to read, Mrs. Urbanski stated that it is totally untrue. She explained that priority woodlands were defined as larger lots and that there are very few areas outside the Sourlands that qualify as such. Another of the posted comments concerning the original ordinance and the Master Plan was then addressed in that the latter document only refers to limiting and regulating tree cutting in major subdivisions. Minor subdivisions are not mentioned. Mrs. Urbanski continued that according to the 2006 document, the priority woodlands designation only applies to larger parcels that could be subdivided. A map showing the number of 2 or 3 acre parcels that are priority woodlands to be preserved was presented, with Mr. Fisher commenting that it entailed 40-50% of the Township. Mrs. Urbanski relayed that when the ordinance was first presented to the Environmental Commission, she sensed a weakening of the priority acreage from 10% but her calculations of what could be removed was closer to 17%. However, the change also made what is not priority woodlands strengthened in the sense that

prior to this it was this plus another 10% for infrastructure. Therefore, if you weren't considered a priority woodland, 20 to 40% of the trees could be taken down. She is of the opinion that the changes were to trying to equalize the disparity. Mrs. Urbanski relayed that she went through the ordinance prior to bringing it to the Environmental Committee to see if she could make sense of it because she too questioned the 10% but the Planning Board's planner said that she could not justify 10% because it would not be equitable to a large vs small landowner. The smaller landowner would suffer more with the 10% limit and the larger landowner would have too much in the way of trees that could be cut down. Not wanting to argue with the planner, Mrs. Urbanski went through and reviewed the map and discovered that a large portion of the ridge is already preserved. The blue areas on her map indicated wetlands and the ridge is total wetlands. She also relayed that when the United Water Company wanted to sell their 400 acres along the ridge, they could not get perc, so the proposed was preserved instead. In addition to the wetlands, the SRPD geology is diabase. She explained that diabase is the newest rock formation in the township; that there are no fractures in it; and, no groundwater recharge. This means you cannot get water. Once these features were realized, she began to agree with the Board that the area can't be easily developed. The only thing that might satisfy is to say that no more 10% can be cut on the Sourland ridge. However, she questioned what that would do to the "priority woodlands" in other parts of the township and their sense of importance. Mrs. Urbanski also relayed that she reviewed the old tax map and every parcel on the ridge and has discovered that there are only a couple parcels that can be developed. Most are landlocked and others are too small. The only parcel of importance is the one between the United Water Company and the Rutgers preserved property, which is the parcel that the township wants Mr. Fulper to preserve. This is property that the GDP says that Mr. Fulper must preserve, which would essentially create one solid greenway from Lambertville to Lakeview Road.

The claim of reduced effectiveness was then addressed by Mr. Tomenchok. He indicated that the Board felt that a single method for determining threshold of land clearing was in order. And while it is slightly more generous in the here-to-for "priority areas," it is actually stricter in all other areas. The rationale being that, as was so ably pointed out, the areas that were here-to-for deemed priority are already well protected by the fact that they are predominantly wetlands; have steep slopes; have very poor drainage; and, some are land locked or already preserved. He continued with the claim that the Board has abdicated their planning authority and suggested that the fact that the Board revised the ordinance to make it clearer and simpler is in itself an exercise in planning authority. He inquired whether more bloviating would be considered an exercise in planning authority and commented that more words don't make sound policy. The latter is accomplished through careful analysis, rational thought and writing skills. He also pointed out that this woodlands ordinance has been in effect for a number of years and that two examples of its shortcomings can be found. The first is the Holcombe tract, which was clear cut. Whether this was done so illegally is immaterial as Mr. Tomenchok was not sure they were allowed to cut it. The second example is the hoops through which JCP&L has been jumping for the Rocktown substation. In conclusion, this work was undertaken as a part of an overall effort to ensure that our ordinances protect the rights of the landowner, preserve the rural character of the township and are enforceable without being overly burdensome. This has been a long and deliberative process with many reviews along the way. The ordinance has been reviewed by the sub-committee, the full Planning Board, the Planner, the Engineer, the Attorney, the Environmental Commission, the Township Attorney, and now the Township Committee. Throughout this process the public has been offered many opportunities for input and is not something that was just thought up and accomplished in a vacuum. To assert that this effort will result in weakened protections is utter sophistry.

Sean Pfeiffer came forward noting that part of the reason the Board started looking at this was because of the reference to the Community Forestry Commission that no longer exists. However, as there's still references to the Woodlands advisor, he inquired whether this position was currently populated and if so, by whom? He was advised that the intent was for the Township Engineer to take on that role and that this information is mostly likely found in a different section. Mr. Pfeiffer's other question concerned the chart on page 15 & 16 and the amendment that was made in 2008 as the chart looked more like the 2006 version. His recollection was that there was some language added make it more of a laddered approach so there weren't big jumps in square footage and was recommended by Mr. Cohen's office because of possible litigation risk. He inquired whether anyone looked at the 2008 amendment. He was advised by Hal Shute that the work started with what was in the Code and Mr. Tomenchok queried whether the assertion meant that the Township was leaving itself open for a lawsuit. Mr. Pfeiffer remarked that he is not an attorney, just asking the questions because it's a language change. He explained that the difference is that when you have these scales, and there's an 100th of an acre difference from the standard, a more granular approach is needed

and that the current language was more permissive. Mr. Pfeiffer suggested that the online Code book be consulted. Also, that although he not involved with the discussions with Mr. Cohen, the subject was brought up at a Planning Board meeting or at the public hearing in 2008 and his recollection is that the change was made at the advice of the special counsel. He continued that the chart on the electronic code has an extra sentence at the bottom which basically changes what the scale would look like and wanted to make sure that somebody looked at it. His position was that this is better policy so as not to penalize someone for a 100th of an acre and suggested that the language that's in the chart based on the 2008 ordinance be re-inserted given that it was what was represented publicly and the ordinance was then upheld by the courts. When questioned by Mr. Dale concerning the 2008 amendment, Mr. Pfeiffer noted that this was his understanding and recollection but that minutes from 2008 are no longer on the website. He also relayed that he was an alternate on the Planning Board at the time and remembers commenting on the steps contained in the chart and that amendment made them more of a curve, which makes the job of the Planning and Zoning Boards easier.

Mr. Shapella came forward requesting to respond to previous comments noting that the Facebook reference mentioned says less than 1 acre, or 20,000 square feet. This is close to 50% and is where is got the information. As far as the smaller parcels on the woodlands map, Mr. Shapella stated that they would not be subject to subdivision approval and that all parcels on the woodlands map were supposed to be large enough to be subdivided. Mr. Fisher counseled that the Township has no one acre lots, unless they are pre-existing.

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

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

Public Hearing: Ordinance 13, 2014 AN ORDINANCE TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES BY THE TOWNSHIP COMMITTEE OF WEST AMWELL TOWNSHIP PURSUANT TO C.52:14-15F ET. SEQ.

Proof of publication in the July 31, 2014 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the July 23, 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 approved on motion by Dale, seconded by Fisher.

Public Hearing: Ordinance 14, 2014 AN ORDINANCE PROVIDING FOR THE FUNDING OF THE FEE SIMPLE ACQUISITION OF CERTAIN REAL PROPERTY KNOWN AS BLOCK 28 LOT 35 IN THE TOWNSHIP OF WEST AMWELL AND APPROPRIATING THE SUM OF \$32,000.00, FROM THE OPEN SPACE TRUST FUND OF THE TOWNSHIP OF WEST AMWELL

Proof of publication in the July 31, 2014 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the July 23, 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 approved on motion by Dale, seconded by Fisher.

Public Hearing: Ordinance 15, 2014 AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS BLOCK 28 LOT 35 IN THE TOWNSHIP OF WEST AMWELL FROM USMIANI

Proof of publication in the July 31, 2014 issue of the Hunterdon County Democrat was presented. Mr. Fisher read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was closed.

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

Introduction: Ordinance 17, 2014

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

AN ORDINANCE TO AMEND ORDINANCE 10, 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

SECTION 1

The following shall be the rate and ranges of compensation for officials and employees of the township for the year 2014.

Building Sub-Code Official, Shared Service Plan Review..... \$30.00 – 35.00/hr

SECTION III

All Ordinances and parts of Ordinances inconsistent with this Ordinance are hereby repealed.

SECTION IV

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

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

Introduction: Ordinance 18, 2014

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

AN ORDINANCE TO AMEND CHAPTER 1 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL

BE IT ORDAINED, that Chapter 1, General Provisions, is hereby amended as follows:

Section 1-15. Interference With Police Officers.

No person shall resist, obstruct, or interfere with any Police Officer of the Township of West Amwell in the performance of their duty, nor shall any person disobey the lawful and reasonable order or instructions of any such Officer.

Any person, firm, or corporation violating any provision of this Chapter shall, upon conviction, be subject to a fine of not less than \$100.00 or more than \$1250.00, a term of imprisonment not exceeding 90 days or a period of Community service not exceeding 90 days, or combination thereof.

Section 1-16.

The penalty provisions set forth in section 1-15 shall all apply to violations of any provision of the Code of the Township of West Amwell where penalty provisions are not specifically provided.

This Ordinance shall take effect upon adoption and publication according to law.

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

Receipt of Supplemental Debt Statement

A copy of the electronically filed document was received in the Clerk's office today.

Introduction: Ordinance 19, 2014 (full ordinance attached to original minutes)

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

REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING CALLABLE GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP, DATED MAY 1, 2006, ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF 3,118,000, APPROPRIATING NOT TO EXCEED \$1,975,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,975,000 REFUNDING BONDS OF THE TOWNSHIP TO PROVIDE FOR SUCH REFUNDING.

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

STANDING COMMITTEE REPORTS

Open Space

- *Authorization to Post May 13, 2014 Minutes to Website: Approved*

- *Quotes for Survey and Environment Assessment Block 28 Lot 35: John Cronce and Hal Shute spoke about the survey and environmental assessment quotes to be awarded, noting that Usmiani is on tract and that the appraisal number is in. The project should be fully funded by Green Acres with a cost to the Township of approximately \$5000.*

RESOLUTION # 130-2014

WHEREAS, a boundary survey is needed for Usmiani, Block 28, Lot 35; and

WHEREAS, quotes have been received as follows:

Bohren & Bohren	\$2,600.00
Goldenbaum Baill Engineering, Inc	\$3,250.00

WHEREAS, the requested survey is to conform and be in accordance with Green Acres guidelines and regulations; and

WHEREAS, the completed survey is to be completed within 4 weeks of engagement

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the boundary survey for Block 28 Lot 35 be awarded to Bohren &Bohren in the amount of \$2,600.00

BE IT FURTHER RESOLVED that this expense be charged to Open Space preliminary expenses

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

RESOLUTION #131-2014

WHEREAS, a Phase 1 Environmental Assessment report is desired for Block 28 Lots 35; and

WHEREAS, quotes have been received as follows:

Environmental Resources Management, Inc.	\$5,000.00 minimum
Princeton Hydro	\$2,600.00
Arecon Ltd.	\$2,485.00

WHEREAS, the requested report is to conform and be in accordance with Green Acres guidelines and regulations; and

WHEREAS, the completed report is to be completed within 4 weeks of engagement

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that a phase 1 environmental assessment report be obtained from Arecon Ltd in the amount of \$2,485.00

BE IT FURTHER RESOLVED that this expense be charged to Open Space preliminary expenses

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

- *Approval to Proceed with Fulper Application: Mr. Shute inquired whether the Committee was on board with putting together an application for the Fulper project to be discussed at the Open Space meeting in September. He is of the opinion that things will start to happen in September and wants to be ahead of the curve. Authorization was given.*

- *Project Status Updates: Mr. Cronce relayed that there is some question as to whether **Toll N** is under contract. However, a call was placed to Mr. Rich who assures that it'll get done. There is no change on **Lambert** as the SADC has yet to give the green light but the director is expected back after Labor Day. The **Holcombe** Mill Road property is to be discussed for preservation. Mr. Cronce then presented a letter to be sent to Mr. Etchells concerning Block 30 Lot 12 and the latter's request to move the exception area. Appreciation was expressed to the*

Open Space committee for doing a great job.

Environmental

- *Proposal for a Rain Garden/Bioretenion System on Municipal Property (319h grant):*

Cathy Urbanski presented a concept plan that would put \$175,000 of the grant money into the municipal property. The plan would alleviate the problem of the roadway washing out by installing a swale and some pipe. It could also be considered as a help to the stormwater problem. This proposal would be in addition to the creek project. Mrs. Urbanski would like Dr. Souza to come to the next meeting to discuss the proposal in more detail. Mr. Cronic questioned whether this would hinder plans to expand the property, e.g, DPW, Fire, and noted that such things are expensive to build and cannot be moved. To the former, the answer was no and to the latter, Mr. Tomenchok relayed that these would not be permanent structures.

- *Letter to the DEP:* Held

Finance Advisory

- *Bond Refinancing/Refunding:* Mr. Shute commented on the recently introduced bond ordinance noting that the consultants know what they are doing and the 2006 refunding obligation is general and flexible with nothing is locked in. There will be time to pull things together as the next Finance meeting is September 11th which follows the September 10th meeting of the Local Finance Board. He would like both the bond counsel and Phoenix to attend the Finance meeting as there was good chemistry with the previous refunding bond. Mr. Fisher added that the consultants have put together a viable plan which includes a loan from TD Bank.

UNFINISHED BUSINESS

Possible Appointments – Porter Little was appointed and approved for an unexpired three year term on the Parks & Recreation committee.

Updates – 1) Mr. Fisher relayed receipt of a call from FM Generators about whether the Township was ready to order the **generator** for the firehouse. The caller was advised that we're still waiting on FEMA for the grant money. 2) There's been no further word on the firehouse **gas line**. As soon as word is received, contact is to be made with Ron Tillett for the hook up. Perhaps the issue of grounding the CSST piping can be attended to at the same time. 3) Attorney Faherty's review of the **Orleans Jurisdictional Agreement** is a work in progress; 4) The first amendment to the **facility site lease agreement** has been under revision by Attorney Faherty. Several changes to the original were mentioned, including the drop from 20 to 15 years with a 5 year option with 90 day notice, loss of right of 1st refusal if capacity sold to one of the members (this gives the Township the right to buy per Mr. Fisher), and reduced rent, most likely due a reduced acreage requirement for the array. Attorney Faherty also noted that the original first amendment consisted of three pages but is now up to seven pages and that he is waiting for clean copy as well as how the new numbers were calculated. Exhibit B is still missing. A detailed plan of the array as well as the calculations used will be requested. 5) **COAH/Buildable Area CD** was received in response to Consultant Bishop's OPRA request. However, it needs someone knowledgeable in GIS to read it. An inquiry will be made to Bill Burr to ascertain whether Maser has a GIS person. 6) Three bids were received for the **dump truck**. These are to be reviewed by Road Supervisor Hoagland and Dan Malek prior to award. 7) Mr. Fisher was reminded about listing the **gas boys** on Craig's list.

Rocktown-Lamb. Road & Kari Drive Work – The estoppel period on the bond ordinance to fund this work has ended. The township engineer will be requested to proceed with the next steps for these projects.

Escrow & Barry Road Property Billing – An explanation has been requested. Mr. Fisher offered to assist with the response.

Policy Review, continued - Held

NEW BUSINESS

PennEast Pipeline – This item was briefly addressed earlier. However, Mr. Fisher advised that PennEast and Andrew Sinclair are expected to attend the September 24th meeting. In the meantime, the proposed maps will be posted on the website.

Salary & Wage Resolution Amendment –

RESOLUTION #132-2014
Amending Resolution #95-2014

BE IT RESOLVED by the Committee of the Township of West Amwell that the 2014 Salary and Wage Resolution, adopted June 9, 2014 be amended as follows:

Position	Salary/Compensation
<u>Delete:</u> Technical Assistant to Construction Taylor	\$19.64/hr
<u>Add:</u> Building Sub-Code Official Russo, Shared Service Plan Review	\$ 30.00/hr

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

Auto Repair –

RESOLUTION #133-2014

WHEREAS, the Township has been advised by Twisted Metal Auto Repair that their operations will terminate at the end of August; and

WHEREAS, Captain Stephen J. Bartzak has requested that a new repair facility for patrol vehicle repair be named quickly; and

WHEREAS, Precision Service Center has been recommended as a replacement facility; and

WHEREAS, Precision Service Center quoted previously for the work and has re-submitted the same quote as was filed in February 2014 as follows:

	Hourly Rate	Routine Turn-Around	% off List
Precision Service Center	\$ 75.00	Same Day	20% over cost

WHEREAS, a Business Registration Certificate has been received

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that Precision Service Center on Route 202 in Ringoes be awarded the patrol vehicle repair work for the remainder of the current term.

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

Staffing Discussion – The Construction department is now down one person but whether there is still a need for the extra person needs to be determined. The use of a current staff member was also mentioned as a possibility. The department staff will be consulted. Mrs. Olsen relayed that the Technical Assistant program is slated to begin next month. Registration has been made.

Mrs. Olsen advised that Don P. Huggins and John P. Hunt are new members of the Fire Company.

OPEN TO THE PUBLIC

Dave Beaumont commented on the on-line article concerning a County Freeholder ballot question for school regionalization. It was subsequently revealed that they have no authority to do this. He suggested that Rob Walton be contacted and inquired of the Committee their thoughts on the idea. Mr. Fisher was supportive of a consolidation effort.

Mr. Shute inquired about the Rocktown-Lamb. Road project and suggested that a process be included whereby property owners have an opportunity to look at the plan. This suggestion will be forwarded to the Township engineer. Mr. Shute also commented on the 4-way STOP at the high school, noting that it is working, and that at some point a 4-way STOP at the Rocktown intersection would be good as well as one at Corsalo.

Mr. Fisher relayed a conversation with a gentleman who was upset about receiving a ticket while parked at Fireman Island.

ADMINISTRATIVE REPORTS

Treasurer –

RESOLUTION #134-2014

WHEREAS, it has been determined by the Zoning Board 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	Amount Refunded
Michael J. Messick, B21 L7	\$3,271.71

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

RESOLUTION #135-2014

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 and further requests the account be closed.

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 applicant:

Applicant	Amount Refunded
James Vernor, Block 11 Lot 28 (Hopewell Valley Community Bank; Account Escrow ID #2201402)	\$7.33

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

Presentation of Bills for Approval:

RESOLUTION #136-2014

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 \$616,613.65, dated August 27, 2014, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations.

Dale motioned to approve the evening's bills for payment and Fisher seconded. Unanimously approved.

Tax Collector – The monthly report for July, 2014 was received showing receipts in the amount of \$376,034.47.

Construction – The Monthly Activity Report-Permits (29), Monthly Activity Report-Certificates (36), and Payment Summary Report (\$6,723.00) were received for PermitsNJ.

Police – The July 2014 Monthly Report showing 893 incidents, 175 summonses and 1 warning was received.

Website Review – None

The reports were unanimously accepted as received.

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 9:40 p.m. on motion from Dale.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk

APPROVED: September 24, 2014