

WEST AMWELL TOWNSHIP COMMITTEE MEETING

September 24, 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 7:34 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 arrived at 7:48 p.m. Also in attendance were Hal Shute, John Cronic, Cathy Urbanski, Bruce Runkle, Dave Beaumont, Sean Pfeiffer, Mary Lyons, Gerald Rygg and friend, and CFO Tom Carro.

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

The mayor led those in attendance in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following items were added: 7.A. Mary Lyons re: Refunding Bonds; 8. Possible Resolutions for Ordinances 16 & 19; 10.B Kari Drive and End Date for Summer Help. 7.A. Princeton Hydro presentation was deleted.

ANNOUNCEMENTS

- Unwanted Prescription Drug Collection, Sept 27th, 10am-2pm, @ Municipal Building, 150 Rocktown-Lamb. Road
- Fire Company Auxiliary Pork Dinner @ Firehouse, October 11th 4-7 p.m.
- Municipal Offices Closed October 13th for Columbus Day
- Last Day to Register for November 4th General Election – October 14th
- PennEast Pipeline Representatives to Attend October 22nd Meeting
- West Amwell Rabies Clinic, Municipal Complex, November 8th, 1-3 p.m.
- Hazardous Waste Day – November 8th; Electronics Recycling, October 11th, all 9 a.m. – 1 p.m., County Complex, Rt 12
- Community Paper Shredding Day, County Complex, Rt 12, Nov 1st, 9-1 p.m.
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

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

August 27, 2014 Regular Meeting minutes

August 27, 2014 Closed Session minutes (Personnel)

September 18, 2014 Special Meeting minutes

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

Gerald Rygg inquired about the mowing situation in the Hills development noting that one side of the structure over the creek has been mowed but not the other. The frequency of mowing was also cited as the expectation of the residents is that this be done more than twice a year. Mr. Rygg suggested the same frequency as that in the "Estates" be implemented. The second issue raised concerned the agreement signed by Orleans and the Township that modified the jurisdictional agreement. Mr. Rygg overviewed the matter of responsibility and cited maintenance issues with the retaining wall and fencing along the bridge, whereby the foundations are coming out of the ground. The former items are still under review by Attorney Faherty, who will contact the County about these apparently conflicting agreements. He also noted that although dated the same day, one agreement was subsequent to the other and that the County was only involved in one of the two agreements. Maintenance was seen as a potential safety issue down the road by Mr. Rygg. He was advised that all bridges in the County are maintained by them.

John Cronce commented on the veterans sign at the firehouse and noted that something needs to be done due to its poor condition. He proposed that it be removed and stored in the basement of the municipal building until such time as a donation plan can be undertaken for restoration. Someone would need to be found to spearhead that effort but raising the money for it was not seen as a problem, according to Mr. Fisher. Permission was received to undertake the proposal and Mr. Cronce was directed to speak with Road Supervisor Hoagland.

Sean Pfeiffer inquired about the tax bill letter that was recently received. Mr. Fisher explained the tax cycle and that he tried, without success, to get the state to re-strike the rate. It's definitely a tax holiday for a year but, unfortunately, next year is all back loaded.

SPECIAL PRESENTATION(S)

Mary Lyons spoke about the two resolutions mentioned earlier concerning the form of sale to accompany the bond ordinances up for public hearing. A proposal has been received from TD Bank, which not only saves issuance costs but there is no prospectus or rating required. The difference in the rates received is due to the fact that one bond is taxable, the other tax exempt. Other options had been discussed earlier but the direction presented is the most cost effective. A chart was presented and discussion ensued over the mechanism used. Ms. Lyons relayed that consideration was given to either a public offering or a private placement, but went to TD as they did the previous refunding a competitive rate. Questioned as to why no one else was approached, Ms. Lyons stated that there's not many banks that actually do this for the period of time requested; that TD has been the most competitive; and, was the only response previously. The time element involved was noted as money is needed by November. The problem of going with BANs was overviewed by CFO Carro and acquiring a S&P rating would run around \$13,000. Mr. Rich offered that it would be prudent to get other quotes.

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Public Hearing: Ordinance 16, 2014 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 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$990,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF

Proof of publication in the August 21, 2014 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the August 14, 2014 Township Committee meeting. Mr. Fisher read the Ordinance by title and opened the public hearing.

Hal Shute commented on the 10 year note rate, which he did not think was all that great, and questioned the ramifications of not action, and whether the Township has to borrow the entire amount or perhaps use surplus to reduce the difference in school payments. He was advised that there is no surplus; that the Township would be bonding in order to replenish the surplus number; that borrowing needs to be accomplished by November 1st; and, that debt service can be paid down, via the surplus, after borrowing the \$800,000. Ms. Lyons advised that there is no early pre-payment; that sole source for the money is legal; and, that this approach was approved by the Local Finance Board. A conversation ensued over possibility of borrowing less; the commitment to TD Bank; and comfort level without other bids. The schedule to borrow is tight and Ms. Lyons relayed that the time frame to accomplish this action is two to three weeks.

Dave Beaumont questioned the amount of surplus after paying the school taxes and the typical level of surplus maintained. He was advised that this would amount to a surplus of \$830,000, which is payment to the Township, and that 10-15% is a typical surplus amount.

Sean Pfeiffer commented on the Township's advanced collection; whether there was a mandate to do this; or, if the matter could wait until next year. He was advised that this was mandated; that otherwise the taxes would have gone up 18 points; and, the pending action will keep taxes flat.

Ms. Lyons offered to check with TD bank to see what their limit would be on the least amount to lend, although as the amount decreases the rate would most likely increase. Mr. Rich inquired whether a spreadsheet of this could be made. Some other suggestions were made by Ms. Lyons but cautioned was advised against creating too many variables. She also spoke to the appropriateness of the interest rate quoted.

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

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

Public Hearing: Ordinance 17, 2014 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

Proof of publication in the September 4, 2014 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the August 27, 2014 Township Committee meeting. Mr. Fisher read the Ordinance by title and opened the public hearing.

John Cronce questioned why this action was needed and was advised that it's an issue with the shared service payment.

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

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

Public Hearing: Ordinance 18, 2014 AN ORDINANCE TO AMEND CHAPTER 1 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL (Interference with Police Officers)

Proof of publication in the September 4, 2014 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the August 27, 2014 Township Committee meeting. Mr. Fisher read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was unanimously closed,

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

Public Hearing: Ordinance 19, 2014 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.

Proof of publication in the September 4, 2014 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the August 27, 2014 Township Committee meeting. Mr. Fisher read the Ordinance by title and opened the public hearing.

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

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

Introduction: Ordinance 20, 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.

Substitute Construction Office Assistant \$13.50 - \$20.00/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 on October 22nd.

Introduction: Ordinance 21, 2014

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

AN ORDINANCE AMENDING CHAPTER 109 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL (Woodlands Protection)

BE IT ORDAINED by the Township Committee of the Township of West Amwell, Hunterdon County, State of New Jersey, that Part 4, Article XXI, Section 144 of Chapter 109 be amended as follows:

Section 1. § 109-144. Woodlands Protection

A. Purpose.

(1) The purpose of this article is to retain and protect the Township's woodlands and to promote the goals and intent of the West Amwell Township Master Plan and the purposes of the Municipal Land Use Law (N.J.S.A. 40:55D-2) by protecting critical environmental resources, including air quality, water quality, soil cover, animal and plant habitat and viewsheds. These resources provide great benefits to the quality of life in West Amwell, but they often are greatly impaired when woodlands are removed during development.

(2) Protection and retention of woodlands helps to control the velocity and amount of stormwater runoff, thereby reducing flooding; filters sediments and pollutants before they reach streams; promotes groundwater recharge; stabilizes the soil and reduces soil erosion; improves air quality by filtering pollutants from the air; preserves scenic views that residents often come to cherish; offers a stable habitat for associated plant species and for animal wildlife; and provides shade and windbreaks that help moderate the effects of climate conditions.

B. Applicability.

(1) The regulations set forth herein shall apply to any tract of land containing woodlands (as defined by §109-4. of the West Amwell Land Development Ordinance) that is the subject of an application for major site plan or major subdivision approval **for the following zoning districts: RR4, RR5, RR6 and SRPD.**

C. Woodland retention and preservation plan.

(1) A woodland retention and preservation plan shall be submitted for the approval of the municipal agency, in consultation with the Woodland Advisor. The plan shall include a report articulating how the requirements **of this chapter** will be met by the proposed subdivision and site plan; how the proposed development will affect the existing natural resources on the tract; the quantity of existing woodlands, and of individual trees not located within a designated forest stand that will be removed and that will be retained; and what specific techniques will be used to protect woodlands and individual trees during the construction process.

(2) The woodland retention and preservation plan shall be prepared using the information identified below and which is requested **in § 109-274** and shall be certified by a New Jersey approved forester, a New Jersey certified landscape architect or a New Jersey certified tree expert:

(a) A table listing the tract area in square feet; the square footage of existing and proposed woodlands located within the tract; A clear, graphic indication of the existing and proposed woodlands located on the tract; A clear, graphic indication of the proposed limit of disturbance lines, tree save fencing specifications and other proposed tree protection measures;

(b) Any specimen trees located in the area of disturbance;

(c) Locations of proposed soil stockpile areas; and

(d) Existing and proposed preservation/conservation easements on the tract.

D. Woodland retention requirements.

(1) The intent of this article is to retain rather than to replace existing woodlands. To that end, development shall be designed to maximize the area of existing woodlands to be retained. If woodlands are to be disturbed or removed, the applicant shall design the development in such a way as to avoid or minimize removal of woodlands.

(2) To the extent that the use of the clustering or lot averaging techniques permitted in the applicable zoning district will maximize the retention of woodlands in the development of the tract, such techniques should be considered.

(3) Woodlands existing on the tract as of the date of this ordinance may be removed for development in accordance with the following:

(a) Only those trees necessary to permit the construction of buildings, structures, streets, driveways, infrastructure and other authorized improvements, as shown on an approved site plan or subdivision plan, may be removed.

(b) For conventional subdivision, the permitted maximum area of existing woodlands removed in the RR4, RR5, RR6 and SRPD zoning districts shall be no more than 50,000 square feet.

(c) In the case of cluster and mini-cluster development, the maximum area of existing woodlands removed shall be 50% of the individual lot size.

(4) If woodlands are to be disturbed or removed, the applicant shall design and schedule (to minimize disturbance of nesting Threatened and Endangered species) the development in such a way as to avoid or minimize removal of woodlands which provide enhanced environmental or scenic value, which shall consist of woodlands in any of the following categories:

- (a) Any woodlands within required stream corridor buffers, wetlands, wetland transition areas or floodplains;
- (b) Woodlands on slopes of 15% or more or woodlands located in highly erodible soils on slopes of less than 15%, with the steepest slopes having the highest priority;
- (c) Woodlands associated with a critical groundwater recharge area, defined as having a recharge rate greater than or equal to the median recharge rate for the municipality as a whole;
- (d) Woodlands along a scenic road identified in the municipal Master Plan;
- (e) Woodlands identified in the New Jersey Landscape Project as either Forests or Forested;
- (f) Woodlands that create a habitat having a ranking of 3, 4 or 5 for rare, threatened or endangered species;
- (g) Woodlands that are connected to a larger woodlands corridor extending beyond the tract boundaries; and
- (h) Woodlands and hedgerows that provide visual screening or are associated with an historic site or line a rural roadway.

(5) The following procedures and requirements for the protection of the woodlands and individual trees to be retained shall be adhered to in the construction phase of the development:

(a) During construction, no permanent or temporary material, including soil, shall be placed or deposited within the critical root zone or within eight feet, whichever is greater, of any tree to be retained or of the trees at the perimeter of any forest stand to be retained. Such area shall be protected by orange blazed fencing placed outside of such area during construction, and the fencing shall be inspected and approved by the Woodlands Advisor prior to the start of any site disturbance.

(b) Where necessary, pursuant to an approved grading plan, to fill or remove soil within an area that encompasses either the critical root zone or the area within eight feet, whichever is greater, of any individual tree to be retained in the area of disturbance or of the trees within the perimeter of any forest stand to be retained, the existing grade around each such tree shall be maintained to the extent of the critical root zone or eight feet, whichever is greater, by a tree well and extension tiles (in the case of fill) or by a retaining wall (in the case of a cut).

(c) No chemicals shall be disposed of and no concrete trucks shall be rinsed within the critical root zone of any tree or of the trees at the perimeter of any forest stand to be retained.

(d) During construction, individual trees to be retained and trees located at the perimeter of a forest stand to be retained shall be maintained in accordance with a maintenance schedule and plan under the direction of the Woodlands Advisor.

(e) If equipment must temporarily invade the critical root zone of any individual tree to be retained or of any tree(s) located at the perimeter of a forest stand to be retained, the Woodlands Advisor shall approve and inspect the installation of required critical root zone protection measures within the path of such equipment, shall inspect the invasion of the critical root zone and shall thereafter inspect the removal of all temporary protective measures and the replacement of the protective fencing.

(f) If the approved plan calls for the installation of any pavement or utilities within the critical root zone of any individual tree to be retained or of any tree(s) located at the perimeter of any forest stand to be retained, special techniques for such installation shall be employed to minimize the impact on the critical root zone(s), and such installation shall be directed, inspected and monitored by the Woodlands Advisor.

(g) In the event any of the foregoing procedures and requirements for construction are violated, the municipal engineer or construction official shall issue a stop-work order until the violation is remedied.

E. Exceptions.

(1) Any dead or diseased tree, subject to verification of its dead or diseased status by the Township's Woodlands Advisor.

(2) Portions of a lot used as a Christmas tree farm.

(3) Portions of a lot used as a nursery or fruit orchard.

(4) Trees directed to be removed by municipal, county, state or federal authority pursuant to law.

(5) Any invasive species of tree as listed in the West Amwell Township Natural Resources Inventory subject to verification by the Township's Woodland Advisor.

F. Fees.

(1) The fees charged for inspections undertaken and other services provided by the Woodlands Advisor shall be established by the municipal governing body by ordinance at the time of the appointment of the Woodlands Advisor. Such fees may, from time to time, be amended by ordinance.

(2) All charges made against escrow accounts for the services of the Woodlands Advisor shall be in accordance with N.J.S.A. 40:55D-53.2.

Section 2: ADOPTION

Upon adoption this Ordinance will be incorporated into and become part of the Code of the Township of West Amwell.

Section 3: REPEALER

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

Section 4: EFFECTIVE DATE

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.

Dale moved to introduce the Ordinance on first reading and Fisher seconded. Motion carried unanimously. The public hearing will be held on October 22nd.

Possible Resolutions for Ordinances 16 & 19: Discussion continued over the purpose of these form of sale resolutions. Mr. Fisher explained that to get \$990,000 for a reasonable rate, the 2006 issue was included to acquire a reasonable rate. Mr. Shute commented that these are open space bonds from 2006 which are callable after 10 years, or 2016. He, too, noted that combination of the two bonds was for a better rate but cautioned about the need to understand the cost of calling the 2006 bonds in early...November 2014 vs May 2016..and that there's a built in \$50,000 cost involved to refinance early. Mr. Shute commented that there is but one large Open Space project in the pipeline and that using \$400,000 from that pot would result in

refinancing less. CFO Carro relayed that in 2017 the Calton bond will be finished causing a drop in debt service; that the cost involved with the new bond is around \$20,000 to cover bond counsel and auditor services; and, that money is saved by not paying for a S&P rating. It was also explained that it is not the intent to refinance early but to put the money in escrow for a year to lock in the rate for a 2016 payout. A question was raised by Mr. Pfeiffer concerning the 10 year impact on the tax rate. He was advised that the rate should go back to flat and that money will be saved through the 2006 refinancing. Mr. Fisher also relayed that the cost is on the municipality, not the school, as the Township spent their money. Action on the resolutions was deferred.

STANDING COMMITTEE REPORTS

Open Space

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

- *Amended By-laws:* Approved

- *Letter Concerning Hayfields on Municipal Property:* Cathy Urbanski overviewed the recommendation that a permanent cover in hay, as opposed to cropland, for the farmed portion of the municipal property be considered. Four reasons were stated in support of this direction, including protection of headwaters and wetlands in that hay does not require herbicide application and that hayfields do not require any form of deer control, provide a nesting habitat for grassland birds, and are aesthetically pleasing, gentle to the environment, and enhancing soil organic matter and carbon storage. Both the Open Space and Environmental Commission are of the opinion that the best use of municipal land should not be a for-profit commercial operation. Mr. Cronce added that there is also support for a rain garden and that grasslands are natural filters against losing soil. With the Committee's blessing, this could be added to the by-laws or included in the contract. Approved.

The 2015 contract was mentioned, with Mr. Shute suggesting that this be set on calendar year.

- *Project Status Updates:* Mr. Cronce reported that there is no signed contract on Toll North. The survey has been completed and the appraisal is in on Usmani. Both have been forwarded to Green Acres. The environmental report is due by the end of the month with an October 7th closing anticipated.

Environmental

- *Authorization to Post July 10th Minutes to Website:* Approved

- *Pipeline:* Mrs. Urbanski relayed that she is getting a group together on October 7th at 11 a.m. that will include the Delaware Riverkeeper and wants to get information out before the October 22nd meeting. She has information for posting to the website as well.

UNFINISHED BUSINESS

Possible Appointments – Verification was made for Victor Rose's appointment to include inspections for West Amwell.

Updates – 1) The Township is still 'in the pipe' for the **generator** money according to an e-mail received from OEM Director Heller. 2) A survey has been completed and a permit issued for the **firehouse gas line**. 3) A new first **amendment to facility site lease** agreement was received but the reduced payment questioned. 4) The status of the **gas boy** sale remains unchanged. 5) Mr. Fisher relayed that there was not much discussion at the recent meeting with the **Local Finance Board** and that although Director Neff knew the problem, whether the others understood it was doubtful. 6) Bids for **Kari Drive** work are due October 15th with an anticipated award on October 22nd. 7) It was agreed that the DPW summer help will cease at the end of the month.

Resolution Amending Chapter 38 – In line with previous discussions, Attorney Faherty prepared the following resolution for consideration.

RESOLUTION #139-2014

WHEREAS Chapter 38, Article III sets forth the promotion requirements for the Police Department of the Township of West Amwell; and

WHEREAS the increasing membership of the Township's Police Department requires additional supervisory personnel; and

WHEREAS Chapter 33-7 requires amending to ease the eligibility requirements for promotion

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of West Amwell, Hunterdon Count, New Jersey that Section 38-7 be amended as follows:

38-7. Eligibility

A promotion of any sworn full-time member of the department to a superior position shall be made from the membership of the police department. Due consideration shall be given to the member or members so proposed for promotion and to the length and merit of his or her service. No person shall be eligible for promotion to a superior office unless he/she shall have previously served as a patrolman, shall have completed three years of service with a police department in the State of New Jersey and served a minimum of two years in his/her present rank. The Township Committee may establish promotional examinations to establish eligibility lists at its discretion.

The Resolution was unanimously adopted on motion by Rich, seconded by Dale.

Britton Bill from 2011 – Mr. Rich requested that Attorney Faherty send a letter stating the Township will not be paying this bill. The reasons for this were relayed for inclusion therein.

Salary & Wage Resolution Amendment

RESOLUTION #140-2014
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>Add</u>	
Mayor Fisher	\$3459.00 pro-rated
Township Committee member Rich	\$2901.00 pro-rated
Part-time Officer Wolf	\$20.62/hr
Substitute Construction Office Assistant Parsons	\$15.00/hr

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

Resolution Extending Shared Service Agreement with Raritan Township –

RESOLUTION #141-2014

Authorizing an Extension of a Shared Services Agreement for Building Sub-Code & Plumbing Inspection Services

WHEREAS, the municipality of West Amwell Township authorized a shared services agreement for Building Sub-Code and Plumbing inspections services with the municipality of Raritan beginning or about August 1, 2014; and

WHEREAS, the term of the original Shared Services Agreement is due to expire; and

WHEREAS, the parties involved have expressed a desire to extend the Agreement beyond the original time frame

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of West Amwell, County of Hunterdon and State of New Jersey, that an extension of the current Shared Services Agreement for Building Sub-Code & Plumbing Inspection Services, as presented under the terms and conditions originally agreed to by the signatories, be authorized

BE IT FURTHER RESOLVED that the terms of the Shared Services Agreement shall expire on or about October 31, 2014.

BE IT FURTHER RESOLVED that a copy of this Resolution and the original Shared Services Agreement be forwarded to the Department of Community Affairs.

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

Discussion Concerning Amending Sign Ordinance to Allow LED Lighted Signs – Mr. Cronce and Mrs. Urbanski stressed aesthetics and safety issues should this be permitted and

that the whole area would be affected. To allow this type of sign would also involve changing the Master Plan. Mr. Cronic added that it should take several complaints before looking to change the Master Plan and that although LED's may be the future, they're not right for West Amwell. Item held.

Policy Review - Held

NEW BUSINESS

Discussion on Farmland Tax & Roll Back Taxes – Mr. Fisher relayed a conversation with Assessor Gill concerning the recent increase to \$1000 to qualify for farmland assessment. He noted that there are currently lots claimed but not farmed. With the change in the law, this should give incentive for those in this category to get out. However, roll back taxes would then apply. Mr. Fisher advanced a suggestion that those over 65, and who do not subdivide, be afforded an opportunity to go from farmland assessment to regular assessment with forgiveness of a roll back for two years. This action would then increase the tax revenues as the properties would be taxed at the non-farmland rate. Mr. Dale offered that in addition, if the owner is over 65 and subsequently sells, there would be no rollback tax applied. Mr. Shute commented that the down side is that marginal farmland would be allowed to grow into weeds and woods. Right now there are others who farm the land.

League Convention Pre-Registration Deadline – The pre-registration date is October 1st. Mr. Fisher requested that he be signed up.

Equipment Resolutions

- Amended State Contract Purchase/Fire Company Equipment.

RESOLUTION #142-2014
Amending RESOLUTION #107-2014

BE IT RESOLVED that RESOLUTION #107-2014 Authorizing Contracts with Certain Approved Stated Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40a:11-12A is hereby amended to provide radio equipment for the Township Fire Company as follows:

<u>Commodity/Service</u>	<u>Referenced State Contract Vendors Vendor</u>	<u>State Contract #</u>
XTS1500 UHF R2 1.5 1-5w 96 channel Portable w speaker mic leather case and desktop charger	Midstate Mobile Radio	83909
TP8185-H6GF-00 Intrinsically Safe with Pro series IP54 speaker mic and desk top charger	PMC Associates	83900
TP8185-H6GF-00 Intrinsically Safe with Pro series IP54 speaker mic less desk top charger	PMC Associates	83900
T03-00013-AAAA 6 bank chargers	PMC Associates	83900
8-XPR5550 With options	M&W Communications, Inc.	83909
Base Stations, Repeaters antennas Installation, etc	M&W Communications, Inc.	83909

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

- Radio Purchase:

RESOLUTION #143-2014

WHEREAS, there is a need to purchase fire company radios, speakers, base stations and related equipment for the Township of West Amwell, in the County of Hunterdon, State of New Jersey as follows:

- 1) 3-XTS1500 UHF R2 1.5 1-5w 96 channel Portable w speaker mic leather case and desktop charger. @ \$1571.25 ea = \$ 4,713.75
- 2) 6-TP8185-H6GF-00 Intrinsically Safe with Pro series IP54 speaker mic and desk top charger @ \$708.80 ea = \$ 4,252.80
- 3) 20-TP8185-H6GF-00 Intrinsically Safe with Pro series IP54 speaker mic less desk top charger @ \$647.20 ea = \$12,944.00
- 4) 4-T03-00013-AAAA 6 bank chargers @ \$387.20 ea = \$ 1,548.80
- 5) 8-XPR5550 With options \$10,054.40
- 6) Base Stations, Repeaters antennas, installation etc not to exceed \$16,486.25

; and

WHEREAS, the items can be purchased through the following State Contract vendors

Item 1 above	#83909	Midstate Mobile Radio 681 South Olden Avenue Trenton NJ 08610
Items 2 thru 4	#83900	PMC Associates 8 Crown Plaza Unit 106 Hazlet NJ 07730
Items 5 thru 6	#83909	M & W Communications, Inc. 361 Quakertown Road Flemington NJ 08822

WHEREAS, the maximum amount of the purchase is \$50,000.00; and

WHEREAS the CFO has certified to the Township Clerk that funds are available in Ordinance 4, 2014; and

WHEREAS, public bids are not required when the purchase is under a state contract in accordance with 40A:11-12 of the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of West Amwell, in the County of Hunterdon that the CFO is hereby authorized and directed to approve and forward Purchase Requisitions to the stated vendor for the commodity listed above.

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

Letter from Resident Concerning George Washington Road – The problem at this location is that water from the road bed doesn't get into the ditch. If a new pipe is needed, the homeowner is responsible for the purchase but the DPW crew would install. Road Supervisor Hoagland can proceed, if needed.

Animal Control for 2015 & Oct 1st Notification Requirement – A letter was received from the Delaware Township Board of Health that they will not continue in 2015. Given the determination by the State concerning the current arrangement, a request for proposal will be sought. Lambertville and Delaware Township will be notified of the change.

PAIC Loss Control Survey Recommendations & Response – The recommendations were reviewed and consideration of the items noted for the 2015 budget.

Western Land Services re: Survey Permission – This is for pipeline survey work at the 24 Mt. Airy Village Road address. Mayor Fisher signed off.

Best Practices Survey – The Committee was presented with a copy of the survey results for review and comment. The inventory was completed, and will be certified upon filing, by the Clerk and CFO. The Committee was satisfied with the results as enough points were achieved to avoid reduction in final aid payment.

PTSO South Hunterdon Regional –

- *Raffle Application & Findings and Determination:* The application was provided and the Findings and Determination reviewed. The license was granted.

- *Resolution:*

RESOLUTION #144-2014

WHEREAS, application has been received the Township of West Amwell to grant a raffle license, and

WHEREAS, no objections have been received the Clerk of the Township, nor were any objections made at the regular meeting.

NOW, THEREFORE BE IT RESOLVED that the raffle license be granted

TO: PTSO South Hunterdon Regional
BENEFIT: SHR Field Hockey Booster Club
DATE: November 27, 2014
TIME: 11:00 a.m.
LOCATION: South Hunterdon Regional
301 Mt. Airy-Harb. Road, Lambertville NJ 08530

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

Resolution Relieving Tax Collector from Collecting Certain Taxes, Interest & Penalties:

RESOLUTION #145-2014

*Resolution to Relieve the Tax Collector from Collecting
Certain Taxes, Interest and Penalties*

WHEREAS, the Assessor has discovered a correction that should be done in the 2012 Added/Omitted Assessment Tax Book of the Township of West Amwell, County of Hunterdon, State of New Jersey; and

WHEREAS, the Assessor of the Township of West Amwell has found that the below block and lot was billed twice for the same assessment. Being billed both as an Omitted 2012 and also Omitted Added 2012. Therefore, the Omitted/Added 2012 bill will be made zero.

Block 5, Lot 6 (Texas Eastern)

This said line item was assessed on the Added/Omitted 2012 Bill at \$619,800
This assessment should be \$0 for the Added/Omitted 2012 Bill of 2012

NOW, THEREFORE BE IT RESOLVED that the Township of West Amwell Committee change and make this one Added/Omitted 2012 bill an assessment of 0.

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

Discussion Concerning Possible Shared Service with East Amwell for the Building Department

– An outreach was made by an East Amwell committeeman to Mr. Fisher concerning this possibility. Given the part-time status of our construction office employees, how this would be accomplished was questioned. However, further discussion was approved.

Professionals for 2015 – The question was raised as to whether bids would be solicited for 2015 professional staff. The consensus of the Committee was to retain the current professionals; therefore, a non-fair and open process will be employed. Mr. Rich requested information on employees up for tenure in 2015.

OPEN TO THE PUBLIC

Mr. Cronic added to his original discourse concerning the veteran's sign by relaying that this is something close to his heart in that his father's name is on it as well as others he was friends with. Appreciation was again extended to the Committee for their support.

Mr. Pfeiffer commented on the revised Open Space by-laws stating that the ethical standards were removed. These were developed with the advice of the attorney at the time of the Fulper litigation and were to protect the Township and committee members. They've been in place for over 8 years and he questioned why these were removed. Mr. Fisher advised that Open Space

is an advisory committee with final decisions made by the Township Committee and that members would know when to reclude themselves.

The Clerk requested clarification on the status of the October 13th meeting, as it is a Township holiday, and questioned if the Committee was going to address the two resolutions discussed earlier at that time. The October 13th meeting will proceed as scheduled.

ADMINISTRATIVE REPORTS

Treasurer –

RESOLUTION #146-2014

WHEREAS, it has been determined by the Construction Official of West Amwell Township that the following permit fees can be refunded as the permit has been cancelled; and

WHEREAS, the Township Committee 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 applicant:

Applicant	Amount Refunded
Richard Anderson	\$135.00

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

RESOLUTION #147-2014

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

WHEREAS, the Township Committee 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 Panzarella	\$185.00

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

Presentation of Bills for Approval: A question was raised concerning the Green Acres loan payment of \$15,000. Deferred compensation is Lincoln. Employees pay this

RESOLUTION #148-2014

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 \$1,557,187.10, dated September 24, 2014, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations.

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

Treasurer Report: Appropriations through September 22, 2014 were provided and reviewed.

Tax Collector – The monthly report for August 2014 was received showing receipts in the amount of \$1,432,133.14.

Construction – The Monthly Activity Report-Permits (23), Payment Summary Report (\$5,466), and Monthly Activity Report-Certificates (76) were received for PermitsNJ.

Police – The August 2014 Monthly Report showing 904 incidents, 157 summonses and 3 warnings was received.

Website Review - None

The above 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 9:34 p.m. on motion from Rich.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk

APPROVED: October 13, 2014