

WEST AMWELL TOWNSHIP COMMITTEE MEETING

February 18, 2015 - 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. Also in attendance were John Cronce, Hal Shute, Cathy Urbanski, Dave Beaumont, Tom Carro, and Mr. & Mrs. Zuccarelli. Deputy Mayor Zachary T. Rich was absent.

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, 2015, 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

The following item was deleted: 11.E. ESC.

ANNOUNCEMENTS

- 2015 Dog Licenses Overdue – Late Fee Applies
- Daylight Savings Time Begins – March 8th
- First Day of Spring – March 20th
- Municipal Petitions for Primary Due – March 30th by 4:00 p.m. (new forms available in Clerk's office)
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The February 4, 2015 Regular and Closed Session minutes were unanimously approved on motion from Dale, seconded by Fisher.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

CFO Tom Carro addressed the Committee concerning the 2015 budget. He proposed that he and the Clerk work up a budget and present it to the Committee at the March 4th meeting for their review at home. A meeting would be held later in the month to address specific concerns and make needed adjustments. This suggested course of action was received favorably. The surplus situation was reviewed and noted that it stands at \$438,900. The CFO's recommendation was that the use of the surplus for the 2015 budget be limited to \$150,000.

SPECIAL PRESENTATION(S) - None

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Public Hearing: Ordinance 1, 2015 AN ORDINANCE VACATING A PAPER STREET KNOWN AS "MT. AIRY BYPASS"

Proof of publication in the February 5, 2015 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the January 28, 2015 Township Committee meeting. Mr. Fisher read the Ordinance by title and opened the public hearing.

- Hal Shute came forward to advise that the Planning Board discussed this at their meeting last evening and there were no objections to its adoption. In fact, there are several other paper streets that will be deleted during Master Plan review.
- John Cronce offered that Open Space also favors the removal of this paper street.

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

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

Public Hearing: Ordinance 2, 2015 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Proof of publication in the February 5, 2015 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the January 28, 2015 Township Committee meeting. Mr. Fisher read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was unanimously.

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

STANDING COMMITTEE REPORTS

Open Space

- *Authorization to Post December 9, 2015 Minutes to Website:* Approved

- *Project Status Updates:* Mr. Cronce reported that **Toll N** continues at a snail's pace. Also, that there appears to be a legal easement for the **Ziegenfuss** property. He raised the possibility that the easement sits in Green Acres open space—property that was paid for with preservation money—and that looking at the houses from the Jefferson Road boundary, they are in there. The **Lambert** project is moving along and is looking good.

Attorney Faherty addressed the **Ziegenfuss** easement, stating that this goes back to Round Valley ownership of the property. There was an easement from Jefferson Road to the back of what is now the Calton (Estates at West Amwell) development. When the property was sold to Fulper, the easement was retained by Round Valley and subsequently sold to Lynn Ziegenfuss. However, it appears by the deed and map that the easement is within a portion of the open space that was conveyed to the Township. A map showing the 50 foot easement and the lots was presented. Attorney Faherty continued that Fulper didn't have the easement to sell; therefore, it should not be part of the Township's open space. He also noted that the deed has no mention of a 50 foot easement. A title policy was provided upon Township purchase and will be provided to the attorney for review.

As for the preservation of the **Ziegenfuss** property, the County has the application but wants to hear from the Township as to whether to proceed, according to Mr. Shute. If the Township refrains, the application dies. Mr. Cronce stated that Open Space has to discuss this again.

Pipeline Task Force

- *Scoping Comments:* Cathy Urbanski presented scoping comments on the PennEast pipeline. Authorization to submit to FERC was sought. Mrs. Urbanski relayed that there's an increasing amount of uploads to FERC concerning the project and a lot of technical submissions have been uploaded that are very well done. She mentioned a comment received concerning a recent set of PennEast meeting minutes that noted that 'there's a lot of opposition here.' Mr. Fisher and Mr. Dale both commented favorably on the document. The document was approved for submission to FERC. Mrs. Urbanski relayed that there's a meeting on February 26th for environmental matters but speakers only get 3 minutes each.

Dave Beaumont questioned whether environmental concerns are the only criteria being used. Mrs. Urbanski relayed that there are other criteria areas, e.g., cultural, safety, scenic areas, noise, economics, etc. and noted that Chris Runkle is working on the Mt. Airy cultural aspect. She also commented that John Henchek has uploaded information on the Crossroads of the American Revolution, which is well done. Rob Fulper is to provide the agricultural component but this has yet to be received. The Delaware Township group is working all criteria groups.

Aq Advisory

- *Authorization to Post October 2, 2014 Minutes to Website:* Approved

UNFINISHED BUSINESS

Possible Appointments – none

Updates – 1) There are currently two potential applicants for the **construction office assistant** position. Interviews will be scheduled for March 4th at 7:00 p.m. 2) The SHREC **renewable energy community aggregation** program is in process for the next auction round and has been discussed with the BPU Rate Counsel. The program will be pretty much the same as last time with the only difference being that the renewable energy category will be dropped. The PPA amendment for the solar installation has been revised to remove the elementary school.

There will be arrays on Township property for West Amwell and South Hunterdon. Marina wants nothing to do with the \$75,000 consideration for Lambertville and the Sewer Authority, so this portion of the agreement will be carried by Swan Creek. Therefore, the remaining members of the SHREC PPA are West Amwell and SHR. An energy savings agreement is also in the works. As for the solar lease agreement, there are no changes. Mr. Fisher advised that Marina just wants to build the solar arrays. However, the size will be reduced from the original due to the elementary school's pull out. Another document to come is the mutual lease agreement. Although this doesn't affect the Township, the Committee, as part of the SHREC, has to agree. Mr. Fisher noted that he is comfortable with what's happening on these fronts in that the 8 cents per Kwh for electricity and rental money from the system are still in place. 3) Attorney Faherty addressed the ***proposed request*** concerning a mortgage with the party involved and suggested that a straight answer be obtained from Pensions concerning salary ceiling. The Township needs to pay what is negotiated and let the individual in question deal with Pension issues.

Participation in 2015 Surface Treatment Program – A decision on what road, if any, should be considered for chip sealing was discussed. Gulick Road was ear-marked last year but was dropped due to cost. Goat Hill Road was mentioned as a possibility for this year. The mayor will speak with the Township Engineer as to what road would be a good candidate. The County needs to have a decision, in writing, by February 24th.

Continued Discussion Concerning Payment of Sick Time – Mr. Fisher advised that this item was decided at the last meeting. No further action.

NEW BUSINESS

Resolution to Award 2015 Vehicle Maintenance Quotes -

RESOLUTION #38-2015

WHEREAS, West Amwell is in need of a maintenance facility for its police vehicles; and

WHEREAS, it is anticipated that the cost for said repairs will exceed the quotation threshold of \$2,625.00 but will not exceed the bid threshold of \$17,500.00 for 2015; and

WHEREAS, a request for quotes for Automotive Repair was advertised in the HC Democrat on January 29, 2015; and

WHEREAS, solicited quotes were due on February 13, 2015, with one response received as follows:

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

WHEREAS, a Business Registration Certificate was received; and

WHEREAS, the CFO has certified that funds are available in the 2015 temporary budget and will be made available in the 2015 Budget under Vehicle Maintenance OE.

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the quote for 2015 Automotive Repair be awarded to Precision Service Center.

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

South Hunterdon Regional Band Parents Association re: Raffle Applications

- Resolution (on premise)

RESOLUTION #39-2015

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: South Hunterdon Regional Band Parents Association

BENEFIT: Marching Band Camp Fees
DATE: March 14, 2015
TIME: 6:00 – 9:00 p.m.
LOCATION: South Hunterdon Regional High School
301 Mt. Airy-Harb. Road, Lambertville NJ 08530

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

- *Findings & Determination:* This document was reviewed and license request granted.

- *Resolution (off premise):*

RESOLUTION #40-2015

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: South Hunterdon Regional Band Parents Association
BENEFIT: Marching Band Camp Fees
DATE: March 14, 2015
TIME: 9:00 p.m.
LOCATION: South Hunterdon Regional High School
301 Mt. Airy-Harb. Road, Lambertville NJ 08530

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

- *Findings & Determination:* This document was reviewed and license requeste granted.

Christmas Holiday for 2015 – The policy manual states that employees received Christmas Day and the day after for this holiday. As the day after falls on Saturday, it becomes Monday. A change to December 24th & 25th for 2015 is requested as it would be less disruptive to the work flow. Request unanimously approved on motion by Dale, seconded by Fisher.

Equipment Auction – A recommendation was received from Dan Malek, after consultation with Mr. Dale, to use MuniBid for the next on-line auction of surplus equipment. There was no objection and the Clerk was authorized to register with MuniBid.

Release of Maintenance Bonds – Mrs. Olsen advised that these bonds have expired and would like to get them filed away.

- *Glen Hale, Inc. – George Washington Road:*

RESOLUTION #41-2015

WHEREAS, the Maintenance Bond (B10 021 674) filed by Glen G. Hale, Inc. for improvements to George Washington Road expired January 6, 2015; and

WHEREAS, the improvements covered by the bond were inspected by the Township Engineer; and

WHEREAS, no concerns were noted

THEREFORE BE IT RESOLVED that the maintenance bond established by Glen G. Hale, Inc. for the work referenced above is hereby released.

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

- *BMV Group – Fire House Roof:*

RESOLUTION #42-2015

WHEREAS, the Maintenance Bond (CSC-220246M) filed by BMV Group a roof replacement portion on portion of the Police/Fire/OEM building expired in January 2015; and

WHEREAS, the improvements covered by the bond were previously inspected by the Township Building Sub-code Inspector; and

WHEREAS, no concerns have been lodged to date

THEREFORE BE IT RESOLVED that the maintenance bond established by BMV Group for the work referenced above is hereby released.

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

- *Top Line Construction – Rocktown-Lamb., Section 12:*

RESOLUTION #43-2015

WHEREAS, the Maintenance Bond (3-34-47-88) filed by Top Line Construction Corp. for Rocktown-Lamb. Road, Section 12 expired in April 2010; and

WHEREAS, the improvements covered by the bond were previously inspected by the Township Engineer; and

WHEREAS, no concerns were noted

THEREFORE BE IT RESOLVED that the maintenance bond established by Top Line Construction Corp. for the work referenced above is hereby released.

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

OPEN TO THE PUBLIC

Eric Zuccarelli of Chimney Hill Drive came forward about the primary and alternate routes of the PennEast pipeline as these may go through his property and pond. He questioned if there is an 'official' route and relayed that he has received several certified letters requesting permission to survey his property. He has not granted access for the latter but has both PSE&G high tension lines and JCP&L utility easements on this property. Mr. Fisher advised that a proposed route is along the high tension lines but there are zig-zags to it and explained that the current path goes around the pond. He will e-mail the latest interactive map to Mr. Zuccarelli. In response to a concern posed about receiving compensation from one entity but not the other, Mr. Dale noted that a gas line easement is different from a power line easement and currently there is no permission to use those ROWs. Mr. Fisher relayed that he will attend a meeting in Trenton next week on the matter and is looking for the 'silver bullet.' Sonya Zuccarelli stated that they are participants in the Rutgers study on bees and that the proposed route would rip apart their wildlife sanctuary.

ADMINISTRATIVE REPORTS

Treasurer –

Presentation of Bills for Approval:

RESOLUTION #44-2015

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 \$962,107.47, dated February 18, 2015, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations.

Dale motioned to approve the evening's bills for payment, seconded by Fisher. The motion carried unanimously.

Attorney Faherty advised of a phone call received from a potential purchaser of the Whiting property, one of the borrowers involved in the dam and DEP. The purchaser would like consent to swap out the obligation. The attorney's recommendation was that it would be better for the Committee to agree to this take-over of the existing lien as it would lower Township exposure. They could, perhaps, ask for consideration for doing so. He will look into this more thoroughly.

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 8:44 p.m. on motion from Dale.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk

APPROVED: March 4, 2015