

WEST AMWELL TOWNSHIP COMMITTEE MEETING

March 4, 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 8:00 p.m. Present were Mayor George A. Fisher, Deputy Mayor Zachary T. Rich, Committeeman John Dale, Clerk Lora Olsen and Attorney Philip J. Faherty III. Also in attendance were John Crounce, Hal Shute and Porter Little.

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

None

ANNOUNCEMENTS

- Dog Licenses Overdue – Late Fee Notices Sent
- 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 petition 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 18, 2015 Regular session minutes were unanimously approved on motion from Dale, seconded by Fisher.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

No one came forward.

SPECIAL PRESENTATION(S)

None

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

None

STANDING COMMITTEE REPORTS

Open Space

- *Resolutions for Lambert & Possibly Amwell Chase*: Hal Shute reported that the CMV for the **Lambert** property was received from the SADC in the amount of \$11,300 per acre. The family has given a verbal approval but actual signatures are needed. A sticky point in the negotiations from the beginning is that the family is looking for the ability to build a 2nd house within the exception area. Mr. Shute indicated that there is enough room. The County and State are okay with this but whether or not the Township is on board is another issue. A second, if the first is approved, is how to proceed. As an aside, Mr. Shute noted that the Planning Board is discussing providing an accessory dwelling if a property is over 50 acres. He continued by questioning whether the Committee would grant this request without going through the variance process. Porter Little added further insight into the discussion by stating that the current house is close to the road and something further back is desired. This would not be a build new, tear down old process. The current zoning and septic approvals needed were briefly mentioned. There was general consensus to the proposal unless it would be illegal. This particular issue will be referred to Attorney Dragan. If everything falls into place, a closing by the end of the year is envisioned. Attention was then drawn to the offer letter. The deletion of

one particular sentence was approved as the County doesn't like the contingency; it could be a deal breaker; and, is something that is best worked out with the family. The change was approved. The proposed resolution will be scheduled for the March 18th meeting as it is anticipated that a signed agreement will be in place by then. The revised offer letter, together with the reply form, is to be e-mailed to the family.

Amwell Chase (Toll N) is moving along, although at a snail's pace. The CMV for the property has been received and the County is the lead on this potential purchase. There is one possible glitch involving another contract buyer and a 21 acre exception area. John Cronce stated that when this came to Open Space, talks were discontinued due to connections with planning and zoning board membership as well as connection with the mayor. The proposed resolution will be scheduled for the March 18th meeting pending acceptance of the offer.

- *Project Status Updates:* Mr. Cronce spoke about the **Holcombe** Mill Road property consisting of 21 acres. This is the property whereby a paper street was recently removed. The next step involves meeting with the family for the exception area prior to the completion of an application. Approval to move forward with the preservation effort for the property was given. The cell tower easement currently in place is something that will need to be resolved.

The **Ziegenfuss** property issues have been researched and a letter concerning same received from Attorney Faherty. Mr. Cronce relayed that the attorney has been in conversation with both Ms. Ziegenfuss and former Township Engineer Bob Clerico. A determination has been made that the 50 foot wide easement running from NJ Route 179 and terminating at the northwesterly portion of Block 3 Lot 12 does exist and adjoins the Block 3 Lot 20.01 Ziegenfuss property. It was sold to Ms. Ziegenfuss by Round Valley, so it is legally hers. However, its possible overlap with the Green Acres and Township easement remains a concern. Attorney Faherty added that the deeds have been compared. The one from Round Valley to Fulper and the subsequent one from Fulper to Calton match as to metes and bounds. However, the deed from Calton to West Amwell is different from the prior deed. More research is required and the title policy has to be reviewed. The title company could be on the hook to the tune of \$4 million and the easement issues will be raised with them. It would then be a Township responsibility to clean up the problem but the expense would fall to the title company. A brief discussion ensued over whether or not the Township even has an interest in the preservation of the property given the road and bridge work required vs number of homes that could be constructed on this 100 acre property in a 4 acre zone. Also noted was that there is access to the easement in question from behind Phillips-Barber in Lambertville and round the rear of the Calton development, which shortens the road distance. Mr. Cronce advised that the CADB is on board with preservation and, now that the property can be viewed as developable, the Township needs to look at it again. He also noted that Ms. Ziegenfuss realizes that the property may have lower appraisals and that preservation may not happen.

Recycling – Porter Little overviewed situations concerning a **recycling truck**, the **shared services** agreement with Lambertville and **possible cost savings** alternatives. He noted that the Township initially received \$20/ton for its recyclables but will now have to pay \$10/ton. The committee is discussing options to reduce the cost. He reported on an e-mail received from Alan Johnson at the County about setting up a meeting with Lambertville, West Amwell, Milford and High Bridge, as current users of Colgate recycling services, with Waste Management and a fall back to the County to unload for free. Mr. Little then reviewed the shared service with Lambertville for the user of their truck. When this was drawn up, the township was holding recycling events twice a month at a cost of \$225 per event for a total of around \$6000/year. Now that recycling is held every week, the cost is \$12,000, in addition to a portion of insurance expense. Some possibilities mentioned included returning to the twice per month schedule; purchasing a truck; and/or increasing the cost of the garbage card. Given the cost swing with Colgate and the truck rental, Mr. Rich offered support for ditching the lease and for purchasing a recycling truck. A brief discussion how to fund the latter was held with Mr. Porter requesting guidance on how to proceed. Also relayed was that there is a 60 day notification requirement to terminate the shared service, with Mr. Fisher commenting that Lambertville may wish to re-negotiate the current terms.

A bit off topic but of particular interest, Mr. Rich advised that there's no salt available from Newark to Philadelphia. All salt is headed to Massachusetts and there is none coming in from the supplier.

UNFINISHED BUSINESS

Possible Appointments – none

Updates – 1) The **1st Amendment to Power Purchase Agreement (PPA) & Energy Savings Agreement** has been signed by the mayor and returned to Attorney Blank. 2) The RFP for the

next round of **Community Energy Aggregation** was published on February 26th with bids due on March 19 @ 2 p.m. A resolution of concurrence with the Lead Agency will be prepared for the next meeting. 3) A fully executed **Solar Lease Agreement** has not yet been received, although sent out from Attorney Faherty's office two months ago. A follow up call has been placed to Mr. Marrone. Also mentioned was that there will be a memorandum of lease agreement to memorialize the lease transfer to Marina. He recommended that no panels be erected until these documents are in place. 4) According to Mr. Rich, the matter of the **Overdue Interest Charge** has been ironed out.

Resolution Authorizing Auction Registration with MunicBid

RESOLUTION #46-2015

A Resolution to Authorize the Township Clerk to Register with MunicBid for the Sale of Public Property

WHEREAS, the Township of West Amwell, a municipality in the County of Hunterdon, in the State of New Jersey, owns various items of personal property no longer needed for public use; and

WHEREAS, the Sale of Municipally Owned Personal Property is governed under N.J.S.A. 40A:11-36; and

WHEREAS, MunicBid is part of a program which has been approved by the State of New Jersey, Department of Community Affairs, Division of Local Government Services as a vender; and

WHEREAS, MunicBid is for the management of municipal property which have been identified as surplus for the purpose of public sale; and

WHEREAS, the Township would like to auction the following items:

- 2008 Ford F350 Pickup

NOW THEREFORE BE IT RESOLVED by Mayor and Township Committee of West Amwell Township, in the County of Hunterdon, in the State of New Jersey, that the Township Clerk is hereby authorized to register and sell public property as identified in this resolution.

BE IT FURTHER RESOLVED that a copy of this resolution shall be filed with the Department of Community Affairs, Director of the Division of Local Government Services.

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

NEW BUSINESS

ESC School – Mr. Rich reported on a meeting that he and Captain Bartzak had with the Superintendent. The school will place security guards on the premises and provide other security measures. He credited Captain Bartzak with making things happen following the bus in the ditch incident and the damage caused to a police vehicle by one of the students. There is new management at the school and a good working relationship is underway.

Resolution to Approve Additional Salt Purchase –

RESOLUTION #47-2015

WHEREAS, a master contract was awarded to Atlantic Salt, Inc. (Rock Salt) by the Hunterdon County Board of Chosen Freeholders, Bid No. 2014-19 for the 14/15 season, and

WHEREAS, the Township Committee has previously authorized the purchase of up to 800 tons of said materials; and,

WHEREAS, the Road Supervisor has advised that there is 100 tons of salt remaining and is concerned whether this quantity will be sufficient given the remaining months of winter weather to come

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of West Amwell, that the Road Supervisor is hereby authorized to obtain, if and when needed, an additional 100 tons of snow and ice control materials from the referenced company

BE IT FURTHER RESOLVED, that the CFO be notified of this authorization for budgetary purposes.

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

JCP&L Landscape Mitigation – Mr. Rich has been in conversation with Bill Burr concerning the desire of the Parks & Rec committee to spruce up Hewitt Park. He further noted that the proposed effort is not limited to trees and could be landscape work as well. A landscape architect and Engineer Burr will meet with Joe Petrucci of Parks & Recreation at the park to discuss ideas. JCP&L will foot the bill for this. Mr. Fisher offered that the municipal building should be looked at as well with Mrs. Olsen adding on behalf of Mrs. Urbanski that the Environmental Commission may also have some possibilities through the 319 grant.

Request for 2nd Copier/scanner/fax for Construction Office – Ms. Grillo has made this request in order to have this capability available at both desks due to the size of the office and difficulty maneuvering around with customers in the office. Costs involved would include the copier, its setup and fax line. The Clerk has been in touch with Tom Allibone concerning the latter and to use the same fax number, an A/B switch to ID the property machine would be necessary. Another option is to use a different fax line and the 397-7226 line is available. There is money in an existing ordinance to cover. Request was approved.

DPW Position – A list of 14 complete applications was provided from which seven individuals were selected for interview. Interviews will be held at a meeting to be scheduled for March 18th at 5:30 p.m.

Items for Review/Consideration – 1) The current application for Hewitt Park and some **facility use agreements** as recommended by the insurance carrier were presented for review. The current application was favored. 2) A sample ordinance for a **donated sick leave** policy was provided for review and possible adoption. 3) The current recipient of the **sick leave agreement** days is unhappy about having to pay them back. Information was provided for review as a decision is needed on how to proceed.

Presentation of Draft 2015 Budget for Review – The CFO provided budget notebooks for review prior to holding a meeting. The Clerk noted that a replacement is recommended for the water fountain due to age and lack of parts. The cost would run approximately \$3100. An alternative would be to remove the fountain and replace same with a leased cooler. The decision was to remove the fountain and place cups in the bathrooms. A projector screen was mentioned at the last meeting and the Clerk was contacted by Dave Beaumont as to whether this was to be looked at further. The consensus was to continue to use the wall if needed. A call was received from Nancy at the Hills @ Hunterdon as a follow up to their January letter. They would like a written response. Mayor Fisher requested that a letter be drafted for his signature.

OPEN TO THE PUBLIC
No one came forward.

ADMINISTRATIVE REPORTS

Treasurer –

Permit Fee Refund Resolution:

RESOLUTION #48-2015

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
Bruce & Linda Meier	\$64.00

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

Tax Collector –
Redemption Resolution & Check Approval:

RESOLUTION #49-2015

WHEREAS, Tax Sale Certificate #201301 for Block 13 Lot 23; 1226 Route 179 assessed to Dolores A. Lofaro was sold on October 1, 2013 to US Bank Cust for Pro Capital III; and

WHEREAS, the amount of \$13,328.82 has been received from Industry Consulting Group for the owner of the property for the redemption of this certificate

THEREFORE BE IT RESOLVED, that the Treasurer be authorized to prepare, and the Mayor, Clerk and Treasurer be authorized to sign, a check in the amount of \$13,328.82 payable to US Bank Cust for Pro Capital III; and

BE IT FURTHER RESOLVED, that the Treasurer be authorized to prepare a check in the of \$12,600 for signature payable to US Bank Cust for Pro Capital III for the return of the premium collected for this certificate.

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

Signatories for the check were unanimously approved on motion by Rich, seconded by Fisher.

Monthly Report: The monthly report for January 2015 was received showing receipts in the amount of \$418,836.09.

Construction – The February 2015 Monthly Activity Report-Permits (21), Payment Summary Report (\$27,441.00), and Monthly Activity Report-Certificates (13), were received for PermitsNJ/**West Amwell**. The February Monthly Activity Report-Permits (22), Payment Summary Report (\$7,685.00), and Monthly Activity Report-Certificates (12), were received for PermitsNJ/**East Amwell**.

The reports were accepted as received without further comment.

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 9:23 p.m. on motion from Rich.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk

APPROVED: March 18, 2015