

WEST AMWELL TOWNSHIP COMMITTEE MEETING

May 6, 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 7:31 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 Anderson, Shirley Bishop, Jim Cally, John Crouce, Linda Jacukowicz, Cathy Urbanski, Porter Little, Dave Beaumont, Hal Shute, Serpil Guran and David Specca of Rutgers, 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, 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

Nothing added.

ANNOUNCEMENTS

- JCP&L Spring Transmission Aerial Patrol Begins May 4th, 2 weeks
- Remembrance Gathering for Former Mayor Barbara Gill, May 16th 2 p.m., Municipal Building
- Municipal Offices Closed May 25th in Observance of Memorial Day
- Primary Election, June 2nd, 6 a.m. to 8 p.m., Municipal Building
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The April 15, 2015 Regular meeting minutes were unanimously approved on motion from Dale, seconded by Rich.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

Cathy Urbanski relayed that Citizens Against the Pipeline are looking for donations to defray legal costs, noting that West Amwell is the only municipality that has not contributed. Other municipalities have given between \$6,000 and \$15,000 toward the cause or have enlisted citizens for donations. The goal is to hire a pipeline engineer to go before FERC as an expert witness. Mr. Fisher expressed a preference for the citizen contribution direction and suggested that Mrs. Urbanski set something up for it. Mr. Dale concurred with this approach.

John Anderson of JCP&L provided an update on the Rocktown-Lamb. Road sub-station. There's still soil stabilization to be done as well as wall retainage and remediation of the corridor to return it to its natural state, but all systems are go for the energizing of the sub-station on May 15th. The landscape plan is another outstanding issue but the summer readiness date of June 1st will be met with 15 days to spare. Mr. Anderson also relayed that a final resolution with an adjoining property owner has been worked out that allowed the removal of some trees that were a threat to the transmission line. A long term right of way for access is being worked out with the State and property owner that will not jeopardize farmland assessment and State concerns. Asked whether there would be a power shut down with the switch over on the 15th, Mr. Anderson stated that there would not. With everything winding down, appreciation was expressed by Mr. Anderson to the Committee and the Township for being good to work with and that a lot can be said for the collaborative effort. On the environmental side, JCP&L will be working with Maser for landscape remediation work. With appreciation expressed all around, Mr. Anderson left the meeting.

SPECIAL PRESENTATION(S)

Housing consultant Shirley Bishop overviewed her May 6th memorandum concerning the latest in 3rd round affordable housing obligation. The Supreme Court has West Amwell as a "certified" municipality because of their filed adopted housing element and fair share plan, which resulted

in substantive certification. The opinion is clear and the court should look kindly on granting temporary immunity. However, in order to protect West Amwell from a builder's remedy law suit, a Declaratory Judgement action must be filed between June 8th and July 8th of 2015. She can prepare the required certification of all post- 2008 affordable housing activity and a service list but recommended that the Committee adopt a resolution authorizing Attorney Faherty to prepare and file the DJ action the first week of July. The Honorable Peter Buchsbaum will be handling these actions in Somerset, Hunterdon and Warren counties. A question was raised as to whether Mr. Buchsbaum would have to recuse himself. This was not answered but it was noted that he had asked to be a Mt. Laurel judge.

Mrs. Bishop continued her presentation by touching on the Fair Sharing Housing Center's calculated numbers and those of the Builder's Association. Together the two groups figure that the State needs 200,001 units, which is way too high. The situation with COAH staff was also mentioned in that they are no longer working on affordable housing due to the lack of an adopted plan and that the court will have to hire a Court Master to review the plans— something that the towns will have to pay for. Municipalities will have five months to prepare supplemental information for a third round plan. Mrs. Bishop reviewed the Township's current plan stats, noting that it shows that the Township has been pro-active and therefore a good candidate for a grant of immunity.

One of the components in calculating affordable housing obligations is the amount of vacant and undeveloped land, which is a throwback to the second round. Mrs. Bishop recommended that West Amwell retain an experienced engineering firm to undertake a survey of all vacant and undeveloped land by Block and Lot to see what is actually developable and calculate a third round number based on what the Township can actually accommodate. This survey would also contain various constraints on the land such as no water or sewer. The survey that FSHC did was by satellite imagery only. Mrs. Bishop suggested that Maser be consulted, especially Joe Layten who is spearheading the effort and is accepting proposals, in order to get the Township's numbers down to something realistic. The vacant land adjustment is the only avenue open to the Township. If an overlay site with water and sewer were located, the housing obligation would go there. Area zoning is not considered in the mix.

Mr. Rich inquired about the original Mt. Laurel litigants. Mrs. Bishop relayed that it was Fair Share Housing and specifically, Peter O'Connor, Kevin Walsh, and Adam Gordon. The litigation was funded by builders.

A brief discussion ensued over how this point was reached, with Mrs. Bishop relaying that the legislature tried three times but the governor shut it down. Basically, Governor Christy got rid of COAH but the municipalities are now at the mercy of the court. She also noted that the League is not getting involved although they are holding a webinar on May 29th.

An e-mail was received from the East Amwell mayor suggesting that a 'regional' plan be submitted to the court once the towns involved receive their Declaratory Judgment. Although this joint plan is a thought, the regional obligation involves the three counties, not just the towns, and the obligation is for 25 years. The better course is to get Maser on board which will run between \$7000 and \$9000 for a vacant land adjustment. As to the question about the effect due to the Township's considerable open space, Mrs. Bishop stated that preserved land is untouchable.

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Public Hearing: 2015 West Amwell Open Space Trust Fund
The item was read by title and the public hearing opened.

2015 WEST AMWELL TOWNSHIP OPEN SPACE TRUST FUND

Purpose: as designated by NJSA 40:12-15.7, the tax may be used for the acquisition of lands for recreation and conservation purposes, development of lands acquired for recreation and conservation purposes, maintenance of lands acquired for recreation and conservation purposes, acquisition of farmland for farmland preservation purposes, historic preservation of historic properties, structures, facilities, sites, areas or objects for historic preservation purposes, payment of debt service on indebtedness issued or incurred by a municipality for any of the purposes above. During the budget process each year, a public hearing is held on the allocation of funds raised by the open space tax.

The 2015 Open Space Trust Fund will be used for the following:

Administrative Expense:	
Salaries and Wages	\$ 1,500.00
Maintenance of Lands for Recreation And Conservation:	
Salaries and Wages	9,000.00
Other Expenses	8,000.00
Debt Service:	
Payment of Bond Principal	360,000.00
Interest on Bonds	40,408.00
Green Trust Loans	31,092.00
Total	\$ 450,000.00

OPEN TO THE PUBLIC FOR COMMENTS

John Cronce inquired whether the numbers had been re-checked and was assured that they had been multiple times.

Hal Shute offered that the \$450,000 number had been discussed, noting the items listed were fundable. However, where the money is spent—acquisition or lighting—is the concern. At issue is that the 6 cent tax that was voted on was purely for acquisition. He questioned whether permission was for other uses and was advised by the mayor that this was authorized by the State. Mr. Shute continued that the State allows but whether the Township does is self-determined; that another way could have been found in order for the money to be spent in accordance with the referendum that was passed; and, that perhaps another referendum should be floated for other purposes. Mr. Fisher advised that the amount spent on ‘other’ is miniscule with CFO Carro adding that the debt of \$360,000 is Open Space debt.

Hearing no further comments, the public hearing was unanimously closed on motion from Rich, seconded by Dale.

The 2015 Open Space Trust Fund was unanimously approved on motion by Dale, seconded by Rich.

Public Hearing: 2015 West Amwell Township Budget

Proof of publication in the April 9, 2015 issue of the Hunterdon County Democrat was presented, together with the following resolutions for budget self-examination and to read by title.

RESOLUTION #79-2015
TOWNSHIP OF WEST AMWELL
COUNTY OF HUNTERDON
SELF-EXAMINATION OF 2015 BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of West Amwell has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2014 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of West Amwell that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial

Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Approved: May 6, 2015
Vote recorded as follows:

Fisher - aye
Rich - aye
Dale - aye

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

TOWNSHIP OF WEST AMWELL
HUNTERDON COUNTY, NEW JERSEY

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: _____ By: Thomas J. Carro
Thomas J Carro
Chief Financial Officer

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30-7.6(e))

RESOLUTION #80-2015

WHEREAS, the 2015 Budget of the Township of West Amwell was introduced on April 1, 2015 and advertised on April 9, 2015; and

WHEREAS, N.J.S.A. 40A:4-8 states that the budget, as advertised may be read by title only if at least one week prior to the public hearing the approved Budget as advertised shall be posted where public notices are customarily posted and copies made available to each person requesting same; and

WHEREAS, the above requirements have been complied with;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell, assembled in public session this 6th day of May 2015, that the 2015 budget be read by title only as provided by N.J.S.A. 40A:4-8.

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

The 2015 Budget was read by title and the public hearing opened.

Dave Beaumont inquired about the amount of increase to the tax rate and was advised that it was up a penny, primarily due to a depleted surplus. Mr. Beaumont commented on the school budget increase.

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

The Budget resolution was presented.

RESOLUTION #81-2015

Be it resolved by the Township Committee of the Township of West Amwell, County of Hunterdon, that the 2015 budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the account of:

(a) \$ 1,280,087.00 for municipal purposes; and

(d) \$ 295,405.00 Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

SUMMARY OF REVENUES

1) General Revenues Surplus Anticipated	\$ 282,881.00
Miscellaneous Revenues Anticipated	1,810,381.00
Receipts from Delinquent Taxes	125,000.00
2) AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES	<u>1,280,087.00</u>
Total Revenues	<u>\$ 3,498,349.00</u>

SUMMARY OF APPROPRIATIONS

5) GENERAL APPROPRIATION	
Within CAPS	
(A & B) Operations including Contingent	\$ 2,365,189.00
Deferred Charges and Statutory Expenditures	263,411.00
Excluded from CAPS	
(A) Operations – Total operations excluded from CAPS	18,541.00
(C) Capital Improvements	25,000.00
(D) Debt Service	603,408.00
(E) Deferred Charges	22,800.00
(M) Reserve for Uncollected Taxes	<u>200,000.00</u>
Total Appropriations	<u>\$ 3,498,349.00</u>

The Resolution was approved on motion by Dale, seconded by Fisher. Roll Call: Dale-aye, Rich-no, Fisher-aye

Introduction: Ordinance 04, 2015

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

AN ORDINANCE 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 the following officials and employees of the township for the year 2015.

Mayor	\$3459.00
Township Committee	\$2901.00
Township Clerk	\$54,181.00 - \$79,465.00
Plus \$35.00/hr. for special & emergency meetings	
Registrar of Vital Statistics	\$2,340.00 - \$3,432.00
Deputy Township Clerk	\$22,464.00 - \$32,947.00
Deputy Registrar of Vital Statistics.....	\$900.00 - \$1,320.00
Escrow Clerk	\$2,000.00 - \$4,000.00
Assessor	\$26,891.00 - \$39,440.00
Collector of Taxes	\$13,500.00 - \$19,800.00
Chief Financial Officer/Treasurer.....	\$27,000.00 - \$39,600.00
Certifying Officer for Pensions	\$1,080.00 - \$1,584.00
Assistant Treasurer	\$8,424.00 - \$12,355.00
Payroll Clerk	\$2,314.00 - \$3,397.80
Planning Board Secretary	\$11,700.00 - \$17,313.00
Plus \$200.00 per additional meeting over 12/year	
Deputy Planning Board Secretary	\$200.00/meeting
Board of Adjustment Secretary	\$5,490.00 - \$8,052.00
Plus \$200.00 each for special meetings	
Deputy Board of Adjustment Secretary	\$200.00/meeting
Board of Health Secretary	\$2,915.00 - \$4,273.00
Plus \$35.00/hr. for special & emergency meetings	
Dog Registrar	\$1,800.00 - \$2,640.00
Dog Census Takers	\$500.00 per district plus \$325.00 mileage per district
Judge	\$11,250.00 - \$16,580.00
Court Administrator	\$34,524.00 - \$50,635.00
Construction Code Official (West & East).....	\$9,000.00 - \$30,000.00
Plumbing & Mechanical Sub-Code Official & Inspector (West & East).....	\$7,000.00 - \$20,000.00
Electric Sub-Code Official & Inspector (West & East)	\$8,000.00 - \$25,000.00
Building Sub-Code Official & Inspector (West & East)	\$9,000.00 - \$30,000.00
Fire Sub-Code Official & Inspector (West & East)	\$5,000.00 - \$15,000.00
Fire Official	\$5,429.00 - \$7,962.00
Zoning Officer	\$4,000.00 - \$8,000.00
Municipal Housing Liaison/AA	\$4,500.00 - \$7,200.00
Office Assistant	\$12.17 - \$18.00/hr
General Office Secretary/Clerk	\$12.17 - \$18.00/hr
Rabies Clinic – Secretarial	\$20.00/hr per person
Open Space Secretary	\$13.50 - \$20.00/hr
Building Custodian	\$10.30 – 15.00/hr
Waste Security Officer	\$12.84 - \$19.00/hr
Assistant Waste Security Officer.....	\$10.42 - \$15.00/hr
Waste Security Laborer	\$10.30 - \$15.00/hr
Substitute Waste Security Laborers	\$10.30 - \$15.00/hr

Violations Clerk	\$16.00 - \$24.00/hr
Court Security Officer.....	\$100.00 per court session
Substitute MCO	\$28.97 - \$35.41/hr
Substitute Plumbing Official & Inspector	\$28.97 - \$35.41/hr
Substitute Sub-Code Officials & Inspectors	\$28.97 - \$35.41/hr
Construction Office Assistant	\$13.50 - \$20.00/hr
Construction Office Coordinator	\$15.00 - \$25.00/hr
DPW Coordinator	\$25.00 - \$35.00/hr
Road Supervisor	\$24.00 - \$40.00/hr
Road Foreman	\$20.44 - \$30.00/hr
Road Class A (10 or more years of service)	\$18.69 - \$27.00/hr
Road Class B (5-10 years of service)	\$15.47 - \$23.00/hr
Road Class C (Less than 5 years of service)	\$14.51 - \$21.00/hr
Temporary Laborer	\$12.05 - \$18.00./hr
Summer DPW Workers	\$9.00 - \$13.00/hr
Police Administrative Secretary	\$13.50 - \$20.00/hr
Substitute Police Secretary	\$13.50 - \$20.00/hr
Part-time Officers	\$20.62 - \$30.00/hr
Part-time Officers Spec Duty	\$22.41 - \$33.00/hr
Police Matrons	\$13.50 - \$20.00/hr
with a minimum of 4 hours pay if called out between 9 p.m. and 6 a.m.	

SECTION II

Definitions and Benefits are outlined in the West Amwell Township Policy Manual adopted December 28, 2005 with amendments through April 23, 2014

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.

Rich moved to introduce the Ordinance on first reading and Dale seconded. Motion carried unanimously. The public hearing will be held June 3, 2015

Introduction: Ordinance 05, 2015

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

A CAPITAL ORDINANCE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, AUTHORIZING VARIOUS PURCHASES LISTED BELOW AND APPROPRIATING \$54,000.00 FROM THE CAPITAL IMPROVEMENT FUND.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON AS FOLLOWS:

SECTION 1: There is hereby approved as capital projects within the Township of West Amwell not to exceed the costs as noted below:

<u>Project/Purpose</u>		<u>Cost</u>
-	Police SUV	\$ <u>34,000.00</u>
	Fire Turnout Gear	<u>15,000.00</u>
	DPW Sign	<u>5,000.00</u>
TOTAL		<u>\$54,000.00</u>

SECTION 2: There is hereby appropriated from the Township of West Amwell Capital Improvement Fund the sum of \$54,000.00 to cover the cost of the capital projects as described in Section 1 hereof.

SECTION 3: This ordinance shall take effect upon final adoption and publication according to law.

SECTION 4: The capital budget of the Township of West Amwell is hereby amended to conform with the provisions of this ordinance to the extent of an inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the Clerk and is available there for public inspection.

Dale moved to introduce the Ordinance on first reading and Rich seconded. Motion carried unanimously. The public hearing will be held June 3, 2015

Introduction: Ordinance 06, 2015

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

An Ordinance to Amend the Employee Handbook of West Amwell to Include a Donated Sick Leave Policy

POLICY:

It is policy of West Amwell Township to implement and administer a Donated Leave Program in compliance with Department of Personnel rules and regulations, and in accordance with the New Jersey Administrative Code (4A:6-1.2), without interfering with any employee's rights to privacy as protected by Federal and State laws, rules or regulations.

PROCEDURE:

Recipient Eligibility:

An employee shall be eligible to receive donated sick or vacation leave if the employee:

1. Has completed at least one year of continuous service;
2. Has exhausted all accrued sick, vacation and administrative leave, all sick leave injury benefits, if any, and all compensatory time off;
3. Has not, in the two-year period immediately preceding the employee's need for donated leave, been disciplined for chronic or excessive absenteeism, chronic or excessive lateness or abuse of leave, and;
4. Either;
 - Suffers from a "catastrophic health condition or injury",
 - Is needed to provide care to a member of the employee's immediate family who is suffering from a "catastrophic health condition or injury", or
 - Requires absence from work due to the donation of an organ (which shall include, for example, the donation of bone marrow).

A "catastrophic health condition or injury" shall be defined as follows:

With respect to an employee, a "catastrophic health condition or injury" is a life-threatening condition or combination of conditions or a period of disability required by his/her mental or physical health or the health of the employee's fetus and requiring the care of a physician who provides a medical verification of the need for the employee's absence from work for 60 or more work days.

With respect to an employee's immediate family member, "a catastrophic health condition or injury" is a life-threatening condition or combination of conditions or a period of disability required by his/her mental or physical health and requiring the care of a physician who provides a medical verification of the need for the family members' care by the employee for 60 or more work days.

Program Requirements for Leave Recipient:

A Township employee may request participation in the Donated Leave Program as a leave recipient or the employee's supervisor may make such a request on behalf of the employee for his/her participation in the program if the following conditions are met:

1. The employee or supervisor requesting the employee's acceptance as a leave recipient shall submit to the Township Clerk a Donated Leave Program Application Form and medical verification from a physician or other licensed health care provider concerning the nature and anticipated duration of the disability resulting from either the "catastrophic health condition or injury", or the donation of an organ, as the case may be.
2. When the Township Clerk has approved an employee as a leave recipient, the employee will be notified. The Township Clerk shall, with the employee's consent, post the Donated Leave program Posting Form for 30 days in a conspicuous location to encourage the donation of leave time and shall inform appropriate negotiations representatives. If the employee is unable to consent to this posting, the employee's family may consent on his/her behalf. If a donated leave applicant is deemed ineligible, the Township Clerk will advise the employee in writing, stating the reason(s) for ineligibility.
3. A leave recipient must receive at least five sick or vacation days or a combination thereof from one or more leave donors to participate in the Donated Leave Program.
4. A leave recipient shall receive no more than 180 sick or vacation days and shall not receive any such days on a retroactive basis.
5. While using donated leave time, the leave recipient shall accrue sick and vacation leave and be entitled to retain such leave upon his/her return to work.
6. Any unused donated leave shall be returned to the leave donors on a prorated basis upon the leave recipient's return to work. If the proration of leave days results in less than one day per donor, that leave time shall not be returned.
7. Upon retirement, the leave recipient shall not be granted Supplemental Compensation on Retirement for any unused sick days received through the Donated Leave Program.
8. The Township Clerk will notify the Department of Labor, Temporary Disability Insurance (TDI), to ensure that a recipient receiving donated leave is terminated from the TDI program for that period of time.
9. The recipient's participation in the Donated Leave Program will end when the participant is medically cleared to return to work on a full-time basis.

Donate Eligibility:

A Township employee shall be eligible to donate sick or vacation leave if the following criteria are met:

1. A leave donor shall donate only whole sick days or whole vacation days, and may not donate more than 10 such days to any one recipient.
2. A leave donor shall have remaining at least 20 days of accrued sick leave if donating sick leave and at least 12 days of accrued vacation leave if donating vacation leave.
3. A leave donor shall not revoke the leave donation.
4. If a leave donor is not in the same Department as the leave recipient, appropriate arrangements shall be made by the Township Clerk to adjust leave records.

Program Requirements for Leave Donor:

A Township employee may request participation in the Donated Leave Program as a leave donor if the following conditions are met:

1. An employee, who wishes to donate leave time to an approved leave recipient, must complete and submit a Donor Leave Transfer Form to the Township Clerk. The completed form must be received by the date on which the posting expires.

If the donor is found eligible to participate, the donor will be notified, in writing, of the number and type of leave days which will be subtracted from the donor's leave balance(s). If the prospective donor is deemed ineligible, the Township Clerk will advise the employee, in writing, stating the reason(s) for ineligibility.

2. The identity of each donor will be kept confidential unless permission is received from the donor to release the name to the recipient. The recipient must request such information.

NOTE: An employee shall be prohibited from threatening or coercing or attempting to threaten or coerce another employee for the purpose of interfering with rights involving donating, receiving or using donated leave time. Such prohibited acts shall include, but not be limited to, promising to confer or conferring a benefit such as an appointment, promotion or monetary or making a threat to engage in, or engaging in, an act of retaliation against an employee.

Dale moved to introduce the Ordinance on first reading and Rich seconded. Motion carried unanimously. The public hearing will be held June 3, 2015.

STANDING COMMITTEE REPORTS

Open Space

- *Project Status Updates:* Mr. Cronce reported that Rick Steffy advised that Toll has asked to use their own surveyor for the property. The request was approved by the County. Both **Lambert** and **Toll N** have received final County and State approvals. The County is preparing the contracts, after which a survey will be required for Lambert. Some tweaking is required on **Holcombe** due to the cell tower. Lynn Ziegenfuss has been inquiring as to the status of her property. The County and State won't green light until the Township decides and cleans up the easement—something that Attorney Faherty is investigating. Mr. Fisher inquired whether the Township is obligated to contribute if the State and County leads on the project and was advised in the negative but that it may kill the deal. Mr. Shute offered that Toll N and Lambert are expected to close this year. The cost is covered in the Open Space Trust. He also advised that the Township has not lost any farmland preservation money, although the Green Acres money is gone as there are no projects. Mr. Cronce added that without the applications for Holcombe and Fulper, the money would have been lost, noting that a lot of work was done to retain the funding balance.

UNFINISHED BUSINESS

Possible Appointments – Ken Turi was appointed as Alt #2 to the Zoning Board and to a 3 year unexpired term on the Historic committee by Mayor Fisher.

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

The Construction Official has recommended a substitute for the building subcode slot. The application and credentials are on file.

RESOLUTION #82-2015

WHEREAS, the Township of West Amwell is in need of a substitute sub-code official and inspector for Building; and

WHEREAS, Construction Official Rose has recommended that the Thomas A. Petto be appointed as a substitute Building sub-code official and inspector for 2015

THEREFORE, BE IT RESOLVED that the foregoing individual be appointed as recommended effective as of May 6, 2015.

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

Updates – 1) A meeting with representatives from fire, police, OEM and planning are to meet next week on the next step on the **Hazard Mitigation Plan**. 2) Research by Attorney Faherty revealed that according to statute, reassessment is one of the duties of the assessor and that the Township Code states that compensation is included in the salary for the position. A letter advising the assessor that no stipend would be provided will be sent. 3) The final recycling tonnage number for 2014 is 6058.37 tons, which is 2,385.99 tons over 2013. Kudos to Deputy Clerk Haberle for the great job. 4) A breakdown of the Township's claim for water damage was received from the **insurance** adjuster. The next meeting concerning the loss will be held May 14th after which paperwork is to be received and payment processed. 5) ACO Barson has relayed that the statute requires a **dog census** every two years; however, less than 50% of municipalities are compliant. At the last census there was a 50% increase in the number of dogs licensed. If 40 dogs are discovered during a new census, the late fees would cover the cost. The current statistics show that the Township is down approximately 100 dogs from 2012. Mr. Barson will be requested to provide a proposal for census work. 6) Some clarification was requested for the Township Committee **expansion petition**. James Cally has offered to do the leg work. He was advised as to the number of signers needed and the time frame for submission. The use of the Saturday depot for this signature collection activity was questioned and no problem was indicated.

Current Sick Leave Agreement – The issue of repayment of loaned days was briefly discussed. Decision was not to pursue. The proposed new policy will alleviate this in the future.

Summer Employment & Possible Resolutions to Hire – Applications are due May 14th to fill the second slot. A special meeting will be noticed for 7:00 p.m. on May 20th to hold interviews.

RESOLUTION #83-2015

WHEREAS, the Township's DPW requires summer help for various maintenance, mowing, and trimming activities; and,

WHEREAS, this need was communicated through the high school list serve and posted on the Township website; and

WHEREAS, Aaron Weber has expressed interest in returning for the 2015 summer season and has submitted an application

THEREFORE BE IT RESOLVED, by the West Amwell Township Committee that Aaron Weber be hired as summer help for the DPW with a start date of May 11, 2015

The Resolution was unanimously approved on motion by Dale, seconded by Fisher. Mr. Weber is to receive \$9.25/hr.

Approval for the Distribution of the St Baldrick's Flyer @ Depot – Approved for distribution at the depot.

NEW BUSINESS

2015 Salary & Wage Resolution – In line with the Ordinance introduced earlier in the evening, the following salaries were set.

RESOLUTION #84-2015

BE IT RESOLVED by the Mayor and Township Committee of the Township of West Amwell that the salaries and compensation for officials and employees shall be as follows for 2015:

<u>Position</u>	<u>Salary Resolution</u>
Mayor Fisher	\$ 3459.00
Township Committee members: Rich, Dale	\$ 2901.00/each
Township Clerk Olsen	\$ 64,671.38
Registrar Olsen	\$ 2,905.85
Deputy Township Clerk Haberle	\$ 28,373.76
Deputy Registrar of VS Haberle	\$ 1,092.64
Escrow Clerk Haberle	\$ 2,500.00

Tax Assessor Gill	\$ 33,967.00
Tax Collector Hyland	\$ 16,764.86
CFO/Treasurer Carro	\$ 33,529.73
Certifying Officer for Pensions Carro	\$ 1,289.11
Assistant Treasurer Haberle	\$ 10,640.16
Payroll Clerk Haberle	\$ 2,922.82
Planning Board Secretary Andrews	\$ 14,777.99
Board of Adjustment Secretary Hall	\$ 6,552.97
Board of Health Secretary Olsen	\$ 3,478.43
Dog Registrar Haberle	\$ 2,185.29
Municipal Housing Liaison/AA Jacukowicz	\$ 5,541.18

Judge Barson	\$ 13,824.20
Court Administrator Hoagland	\$ 43,607.40

Construction Official Rose	\$ 20,000.00
Plumbing & Mechanical Sub Code Official Rose	\$ 15,000.00
Electrical Sub Code Official Janoski	\$ 18,000.00
Building Sub Code Official Rosso	\$ 20,000.00
Fire Sub Code Official Langon	\$ 10,000.00
Fire Official Fretz	\$ 6,068.47
Zoning Officer Rose	\$ 6,600.00

Police Administrative Secretary Parsons	\$ 15.67/hour
Substitute Police Secretary Grillo	\$ 15.34/hour
Violations Clerk Augustine	\$ 19.33/hour
Open Space Secretary Rosikiewicz	\$ 16.10/hour
Rabies Clinic Secretarial Haberle & Olsen	\$ 20.00/hour/each

Waste Security Officer Gordon	\$ 13.42/hour
Waste Security Laborer Burd	\$ 10.77/hour
Substitute WSL _____	\$ 10.30/hour
Building Custodian (Admin & Police) Sutch	\$ 11.27/hour

Construction Office Assistant Brewi	\$ 15.00/hour
Construction Office Coordinator Grillo	\$ 20.00/hour

DPW Coordinator Cronce	\$ 30.00/hour
Road Supervisor Rollero	\$ 25.00/hour
Road Foreman DeFazio	\$ 25.77/hour
Road Class A Pearson	\$ 20.61/hour
Road Class C Leary	\$ 16.10/hour

Summer DPW Worker Weber	\$ 9.25/hour
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Part-time Officer Goccia	\$ 22.45/hour
Part-time Officer Breuer	\$ 22.14/hour
Part-time Officer Wolf	\$ 21.08/hour

Police Matron Parsons & _____	\$ 15.67/hour/each
(min. 4 hrs pay if call out between 9 p.m. & 6 a.m.)	

BE IT FURTHER RESOLVED that this Resolution shall be retro-active to January 1, 2015.

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

Resolution in Support of A4235, the Transparent Tax Act of 2015 – Although noted as something that ‘won’t go anywhere,’ support was given for the following:

RESOLUTION # 85-2015
SUPPORTING THE TRANSPARENT TAX ACT OF 2015

WHEREAS, Assembly Bill No. A-4235 supplementing chapter 4 of Title 54, R.S.54:4-65 and designated the "Transparent Tax Act of 2015" is being considered for adoption by the New Jersey State Assembly; and

WHEREAS, the amendment would permit the local jurisdiction to print separate tax bills to each taxpayer, one showing the amount of property taxes due and payable for municipal tax purposes, the other shall state the amount of property taxes due and payable for county purposes, school purposes, fire district purposes, and for the purposes of any other special district on behalf of which the municipality collects property taxes; and

WHEREAS, both bills shall include a brief tabulation showing the distribution of the total amount to be raised by taxes; and

WHEREAS, A-4235 would require the municipal tax collector to send notice of the pro rata share, if any, of the property tax appeal refunds paid by the municipality during the tax year to the county, school districts, and fire districts for inclusion in their annual budgets; and

WHEREAS, in the following tax year in which the refunds were paid, the municipal tax collector is then required to deduct the applicable pro rata share of the property tax refund from the amounts to be paid to the county, and each school and fire district; and

WHEREAS, these amendments, if adopted, will assist the general public to understand the tax bill, the structure of the taxes, and the level of support for each agency, and will further provide a more equitable structure to share the obligation of paying approved tax appeals as the title states, creates transparency in the tax supporting local assessments.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of West Amwell, in the County of Hunterdon, in the State of New Jersey, hereby supports Assembly Bill A-4235 amending Title 54:4-65 and urges the Legislature to approve and pass the bill for the reasons expressed herein; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority Leader of the NJ State Assembly, the President of the NJ Senate, and the Governor of the State of NJ, the New Jersey State League of Municipalities, and Hunterdon County municipalities.

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

Resolution/Proclamation for Relay for Life of Hunterdon County –

**RESOLUTION # 86-2015
Proclamation
Relay For Life of Hunterdon County**

American Cancer Society Relay For Life Proclamation for Hunterdon County

WHEREAS, the Relay For Life program is the signature activity of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease, and empowers individuals and communities to fight back against cancer; and

WHEREAS, money raised during Relay For Life of Hunterdon County supports the American Cancer Society's mission of saving lives by helping people stay well and get well, by finding cures, and by fighting back; and

WHEREAS, Relay For Life events helped fund more than \$177.5 million in cancer research last year;

NOW, THEREFORE, BE IT RESOLVED, that I, George A. Fisher, Mayor of West Amwell Township, do hereby proclaim June 13th and 14th of 2015 as,

"RELAY FOR LIFE OF HUNTERDON COUNTY DAYS"

in our community and encourage citizens to help finish the fight against cancer by participating in the Relay For Life event at Hunterdon Central Regional High School on June 13th and 14th of 2015.

Given this 6th day of May, 2015

George A. Fisher
George A. Fisher, Mayor

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

Resolution for National Police Officer Week –

RESOLUTION #87-2015

WHEREAS May 10th through 16th is National Police Officer Week; and

WHEREAS, May 15th is “Law Enforcement Officers Memorial Day” as so legislated by the federal government; and

WHEREAS, the people of West Amwell hold their police officers in great esteem and value their local police force as an essential part of their community; and

WHEREAS, the purpose of this designation is to generate increased public support for the law enforcement profession by permanently recording and appropriately commemorating the service and sacrifice of law enforcement officers and to provide information that will help promote law enforcement safety; and

WHEREAS, this legislation requires that all American flags be lowered to half-staff on May 15th in commemoration of this service and sacrifice

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the week of May 10th through 16th is hereby declared as National Police Officer Week in West Amwell Township; and

BE IT FURTHER RESOLVED that all municipal flags be lowered to half staff on Law Enforcement Officers Memorial Day on May 15th

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

Potential Project with Organic Waste/Rutgers EcoComplex – Serpil Guran and David Specca of Rutgers EcoComplex of the Alternate Energy Innovation Center were in attendance and came forward at this time. Dr. Guran stated that their project is to be the creation of a strong feasibility study to assess the potential of residential/commercial organic waste generation availability and interest for a potential project that would anaerobically digest food waste along with dairy waste to produce clean energy, clean fertilizer, and rural community economic development. She relayed that this is done in Europe and there is movement in California, Michigan and NY State for same, noting that it is a challenge for small dairies due to cost. The USDA offers funding for rural development with potential job creation and their work at Rutgers has them looking around the State for possible locations for a feasibility study. Mr. Specca added that this clean energy production is included in the grant opportunity and that he’s worked with Mr. Fulper previously and found him innovative with the use of manure. There are currently two proposed pieces of legislation concerning waste separation for compost or animal feed and that Connecticut and Massachusetts have similar bills in place. Dr. Guran continued that these new applications allow no food waste in landfills and that anaerobic units promote this approach. Conversion to gas is also possible. A feasibility analysis is needed to see if there’s enough manure available and whether there would be sufficient restaurant participation. A proposal to USDA for this study is being prepared and a letter of support from the Committee would be helpful in obtaining grant funding. Mr. Cally, a member of the Township Board of Health, engaged Dr. Guran and questioned the status of legislation, commenting that ‘if this is a good idea, why government needs to pass a law to make it happen.’ Mr. Specca responded that waste management companies need guarantees as to material as well as technology that is reliable so that there is profit at the end. He also relayed that legislation has been drafted in Trenton and will provide same to the Committee. The requested letter of support for the feasibility study met with general consensus. A sample will be provided and would be due by May 20th. Dr. Guran is unavailable for the May 28th Board of Health meeting but Mr. Specca agreed to attend.

Discussion Concerning Solar Projects/Recent NJ.Com Article – Mr. Rich was alarmed by the recent nj.com article whereby a three-county solar installation has to pay to settle a lawsuit filed by the main contractor and questioned whether the Township could face a similar problem; whether there was a performance bond in place; and, what is the Township's exposure if the general contractor or contractors goes bust. He was advised by Attorney Faherty that the Township's deal is a land lease only and that the agreement to construct is between Swann Creek and the contractor. The Township's loss would be rental payments. Mayor Fisher requested that Attorney Faherty contact Attorney Blank as to status of the installation.

Hunterdon County 2nd Annual Community Day – The Chamber is looking for involvement by local fire, rescue and public safety entities as well as non-profit organizations and civic groups to celebrate everything Hunterdon. No interest was expressed for participation in this endeavor.

Fire Official – Jason Fretz has advised that he has been offered a new job; will be moving; and, will not have the ability to be available as often as required to complete fire inspections. He will remain in the position until such time as a replacement is found or to the end of his term, whichever comes first. The position will be advertised.

OPEN TO THE PUBLIC

Mr. Cronce came forward concerning an incident with a resident over a clogged driveway pipe. The Township policy is that the homeowner purchases the pipe and the Township DPW installs same. However, the resident wants the work done completely at Township expense, including a blacktopped apron. Mr. Cronce is of the opinion that the clogged pipe is causing the water to skate across the road which, in turn, creates pot hole development. He will try to work something out with the Lambertville Sewerage Authority for their vacuum truck to unclog the pipe, although there is the possibility that the pipe has collapsed. In addition, Mr. Cronce relayed that the DPW employees have no hand tools to work with and have been bringing their own. He has obtained prices for some new tools and shared the information on cost with the Committee. A requisition is to be provided for the requested purchases.

A requested week of vacation pay from a retired employee was raised. As this has not been done previously, Attorney Faherty was requested to research the issue. Attorney Faherty relayed that there is no requirement to allow vacation although once allowed, there's a precedent of payment. He recommended that a policy be developed as he could find no legal requirement for or against it. The consensus of the Committee was not to pay.

ADMINISTRATIVE REPORTS

Construction – The Permit Fee Log Summary for April 2015 reflect the issuance of 18 permits for a total of \$4,655.00 for West Amwell. Twenty (20) CA's were processed per the Certificate Log Summary. The Permit Fee Log Summary for East Amwell reported 22 permits issued and \$5,688.00 collected. Six (6) CA's were processed according to the Certificate Log Summary.

Court – The May 2015 monthly report was received showing a ticket total of 267 (112 local) and the receipt of \$9,365.01.

Roads – The April 2015 report of activities was received.

The foregoing reports were unanimously accepted as reviewed without comment.

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 9:52 p.m. on motion from Rich.

Respectfully submitted,

Lora L. Olsen, RMC
Township Clerk