

# WEST AMWELL TOWNSHIP COMMITTEE MEETING

August 19, 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 7:34 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 Howard Samms, John Haug, Ryan Rollero, Dave Beaumont, Cathy Urbanski, John Cronce and one unidentified individual.

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 items were deleted: 7.A. Special Presentation;13.B. Tax Collector.

## ANNOUNCEMENTS

- 2015 Dog Census by ACIS Commences Week of August 17<sup>th</sup>
- Next Regular Township Committee Meeting – September 2<sup>nd</sup>
- JCP&L Aerial Inspection to Commence Week of August 17<sup>th</sup>
- Municipal Offices Closed Monday, September 7<sup>th</sup> for Labor Day
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

## PRESENTATION OF MINUTES

The July 15, 2015 regular session minutes were approved on motion from Dale, seconded by Fisher. Roll Call: Dale-aye, Rich-abstain, Fisher-aye.

## OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

Cathy Urbanski questioned the Fulper Farm contract in that the proposed change was not initialed by both parties. The mayor will initial same and forward to Mr. Fulper. A copy of the Certificate of Insurance will be provided to the Open Space committee.

Howard Samms, a Hills at Hunterdon Association board member, raised questions concerning the maintenance of two areas in the development. The first is Stagecoach Lane, located between two homes. The homeowners have been cutting the grass but action from the Township has not been forthcoming. Mr. Fisher advised that this has been mentioned in the past and that the area will be maintained, although probably not on a weekly basis, but that he will speak with the Road Department. Mr. Samms continued that this is a thirteen year old problem which has been brought out before but not addressed. However, if this can't be accomplished, the homeowner association will do something about it instead of the issue bouncing around. He requested that someone get back to him concerning the maintenance of the property earmarked for an eventual road as the adjoining homeowners complain about having to mow it. John Cronce, the DPW Coordinator, advised that he and the Road Supervisor will look at the area in question.

The second issue raised by Mr. Samms concerned the land on either side of the bridge where the grass is not being mowed. The size and work priorities of the Road Department were mentioned by Mr. Rich but noted that something can be worked out. Mr. Samms would like a definitive response to these issues be provided in writing.

## SPECIAL PRESENTATION(S) - Deleted

## INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

**Public Hearing:** Ordinance 08, 2015 AN ORDINANCE PROVIDING FOR THE FUNDING OF THE TOWNSHIP'S COST SHARE OF AN AGRICULTURAL DEVELOPMENT RIGHTS EASEMENT TO BE ACQUIRED ON CERTAIN REAL PROPERTY KNOWN AS BLOCK 3, LOT 16 (LAMBERT FARM) IN THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF

## HUNTERDON NEW JERSEY AND APPROPRIATING THE SUM OF \$135,000.00 FROM THE OPEN SPACE TRUST FUND OF THE TOWNSHIP OF WEST AMWELL

Proof of publication in the July 23, 2015 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the July 15, 2015 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 09, 2015 AN ORDINANCE PROVIDING FOR THE FUNDING OF THE TOWNSHIP'S COST SHARE OF AN AGRICULTURAL DEVELOPMENT RIGHTS EASEMENT TO BE ACQUIRED ON CERTAIN REAL PROPERTY KNOWN AS BLOCK 5, LOTS 24 AND 24.01 (AMWELL CHASE FARM) IN THE TOWNSHIP OF WEST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND APPROPRIATING THE SUM OF \$335,000.00 FROM THE OPEN SPACE TRUST FUND OF THE TOWNSHIP OF WEST AMWELL

Proof of publication in the July 23, 2015 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the July 15, 2015 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 Dale, seconded by Rich.*

## STANDING COMMITTEE REPORTS

### Open Space

- *Project Status Updates:* Mr. Cronce reported that the issue with the Holcombe property is moving towards resolution. Attorney Faherty added that there should be no reason for concern by the SADC as the area in question is a 60 x 60 plot plus roadway and that any additions to the tower would be vertical.

### Environmental

- *Discussion on the JCP&L Mitigation Plantings:* Held.

- *Discussion of 8/13 Meeting with DEP Representatives re: 319h Grant Projects:* Mrs. Urbanski reported that there's been lots of problems with DEP as their own management has changed 6 times and the Township has gotten nowhere on the grant...five years after its approval. Although DEP is okay with the Township portion of the plan, most of the other projects are on private land. Specifically, DEP mentioned a project to cool the water in the recently re-built dam near the Nelson property. The property owners will be contacted but they've already invested a lot of money to fix the dam. The number one problem is erosion at the Kiriluk farm but the owner is not interested in anything except straightening the stream as he wants the cows to still be able to drink from it. As for the Alexauken Wildlife property, once pictures were provided and they saw that it's a concrete dam, interested waned. Mrs. Urbanski will meet with Dr. Souza about preparing an amendment to the plan. The plan deadline will be extended to counter the time lost to date.

- *Comments on the U.S. Army Corp of Engineers & NJDEP Draft Report/Proposal for a Flood Risk Management Feasibility Study:* According to a conversation with John Miller of Princeton Hydro, Mrs. Urbanski relayed information on the size and scope of the proposed levy to the north of Lambertville. She also noted that Mayor DeVecchio has said that it is too early to comment on the project; mentioned the 2022 start date; and, that it is Swan Creek that causes the most flood damage.

### Aq Advisory

- *Authorization to Post June 4, 2015 Minutes to Website:* Approved

### Finance

- *Authorization to Post June 18, 2015 Minutes to Website:* Approved

## UNFINISHED BUSINESS

**Possible Appointments** – none

**Updates** - 1) There's been no further word from the engineer on the **Rocktown-Lamb. Road** project. 2) The winning bidder for the Connaught hill property is curious about the status of **Block 46 Lot 5**. Attorney Faherty advised that another search is needed beyond the one done

for liens and would be more expensive. Authorization was given to proceed but the attorney will get an estimate. A call will also be placed to Mr. Warford. 3) Mr. Fisher relayed that approximately \$43,000 in grant money has been awarded for the purchase of a **generator** and the project has to be completed within 3 years. He has reached out to the engineer for further guidance as the firm is involved in several similar projects. Mr. Fisher also relayed that he has been in touch with the firm holding the State contract for a gas generator but a decision will need to be made whether to go this route or to bid. 4) Definitive information and written procedures concerning **farmland assessment & roll back taxes** has yet to be received, although there is some case law concerning it. There is no mention of roll back in the recent revision but the law only updated the existing 1960 act. 5) A **petition for temporary immunity** in the affordable housing case has been filed by Attorney Cushing's office on behalf of the Township. A confidential, draft report from Dr. Burchell has also just been received with comments due within 3 weeks. It was noted that Dr. Burchell's numbers for West Amwell are greater than those of Fair Share Housing. However, an earlier e-mail from Consultant Bishop relayed that if Dr. Burchell's numbers are still too high to implement, then a vacant land analysis would click in.

**Center Island Maintenance & Tree Care - Estates @ West Amwell** – Quotes were provided at the last meeting to address these issues but no action was taken at the time. The mayor stated that he was waiting on recommendations for the JCP&L mitigation work. John Haug, a resident of the Estates, stated that the weeds are out of hand and questioned when there would be treatment. He also relayed that the Tamke quote was obtained as the trees are dying. A discussion ensued about whether Township personnel were allowed to use pesticides; that the island barrier cloth was replaced recently and is good; whether the trees should be taken out and replaced; and, what trees would grow best in the 3 foot island. Mr. Cronce advised that there are city trees with roots that grow straight down but this would not stop the weed problem; that top soil and seeding of the area would be best as the rocks require continuous maintenance; and, whether the island is considered part of open space for budgetary purposes. Mr. Rich commented that the trees would be a bigger project and allocating \$15,000 would take away from the proposed soccer field and Mayor Fisher suggested that we wait to hear from JCP&L as there may be something that could be done through the mitigation work. Mr. Haug suggested that the island be planted with low growing Juniper and that the rocks be removed. Mrs. Urbanski agreed that the rocks are problematic and advised that native plants be used as these do not require as much water. Mr. Cronce advised that he and Road Supervisor Rollero will discuss and have a plan to the Township Committee at the September 2<sup>nd</sup> meeting.

**Orleans & Requested Replacement of Damaged Belgium Block** – This repair work has not yet been accomplished but is on the work to be done list.

**Telephone Proposal from Comcast** – Answers to the questions posed at the last meeting have been received, shared with the Committee, and reviewed by Mr. Allibone. There was a problem with the number of hunt groups allowed but has been remedied by putting the Court lines on their own account. This means that there will be two monthly bills instead of one. New agreements for this were provided. Mr. Fisher advised that there's a \$500.00 monthly savings over current Verizon bills and that the suggestion to move to Comcast came from Mr. Allibone as the phone lines with Verizon will continue to deteriorate.

*Rich motioned to approve the agreement with Comcast, pending the mayor's confirmation with Mr. Allibone, and Fisher seconded.*

**Office Space/Elevator** - Held

**Municipal Sign Quote/Award** – The single quote received was deemed too expensive and was unanimously rejected. This will be look at again next year.

**Discussions** – 1) **Depot security** continues to be a problem. All three 30 yard cans are full as there was been unauthorized dumping, although one had to be used due to the breakdown of the recycling truck on Saturday. The cost for pickup, return and disposal is \$700 to \$800 per can. Discussion ensued about how best to secure the area, e.g., a gate, chain, boulders, etc. while still allowing access to the mulch pile, and the need for a Township owned rollback truck. Moving the cans to the garages in-between cleanup days was posed but rejected. The use of hunting cameras that would detect motion was also mentioned as a possibility. The decision made was to implement a rocks and chain approach. 2) Three **unsafe structures** were relayed via memo from the Construction Official. The legal options for the *Wilson Road* property was assigned to Attorney Faherty for determination and procedure to follow. The *Route 31 house* has been a problem since it was hit back in 1999. Property taxes are currently billed to

Royal Tax Lien Services, LLC but the latest bill was returned as not deliverable as addressed. Mr. Cronic provided some history by stating that Gene Venettone initially condemned the house and hired Wagner to demolish it but the action was halted. However, the Township still had to pay the bill. Attorney Faherty advised that a court order is required to knock it down and, given that it is in an historic district, there's a legal procedure involved. The direction given was to proceed with a legal direction as this is a safety issue. 3) A lengthy discussion concerning posting e-mail updates from **PennEast**, considering that the Committee has come out against the pipeline, ensued. The consensus was to post a notice on the website that information from and about the PennEast pipeline is available at the municipal building.

#### **NEW BUSINESS**

**A.B.C. Social Affairs Permit for September Event at Running Start Farm** – The application is for an organization by the name of Pure Energy Velo. The event is to be held September 26<sup>th</sup> at the Running Start Farm. This type of license is issued by the State but signatures of the Police Chief and Clerk are required. It has been past practice to advise the governing body of these events. Authorization was given to sign the application.

**Award of Bidder for Garbage Truck** – There was only one bid received and it has been reviewed by Road Supervisor Rollero.

#### RESOLUTION #126-2015

WHEREAS, the Township of West Amwell advertised and subsequently received a bid proposal for a *31 Cubic Yard High Compaction Leach 2Rll Rear Loading Body Mounted on a 1992 or new Mack (with conventional cab, diesel engine, auto transmission, tandem rear) or Approved Equal* garbage truck; and

WHEREAS, one bid proposals was received as follows:

<u>Vendor</u>	<u>Bid Amount</u>
American Hose & Hydraulics	\$44,000.00

WHEREAS, the submitted bid has been reviewed and a determination made that all paperwork is in order; and

WHEREAS, the Township of West Amwell has sufficient funds to award the Contract per the Certification provided by the CFO

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of West Amwell that the bid for a *31 Cubic Yard High Compaction Leach 2Rll Rear Loading Body Mounted on a 1992 or new Mack (with conventional cab, diesel engine, auto transmission, tandem rear) or Approved Equal* garbage truck is hereby awarded to American Hose & Hydraulics of Patterson, NJ for \$44,000

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

**Gypsy Moth Inspection Offer** – A letter from the NJ Department of Agriculture was received advising that defoliation caused by the gypsy moth has been detected in the municipality. The Department has developed an integrated pest management system, which utilizes aerial spraying with the biological insecticide, *Bacillus thuringiensis*, to address infested areas. If it is determined that aerial treatment is needed, the Department will develop spray contracts, supervise spray operations and apply for federal cost-sharing funds. In order to participate in the survey, a form has to be submitted.

*A motion to participate was made by Rich, seconded by Dale and carried unanimously.*

**Municipal Alliance Subgrant Agreement** – Four copies of the new agreement were presented and unanimously approved for the mayor's signature.

**Township Soccer Field** – Mr. Rich overviewed his talks with JCP&L, members of Open Space, Environmental, and Parks & Recreation committees, as well as representatives from both the South County Soccer League and South Hunterdon Regional concerning space and need for a soccer field, and monetizing the value of the former's tree mitigation money to do so. He has been working with Township Engineer Bill Burr on this and some options presented were: 1) fix the field at Hewitt Park by installing drainage and seeding it for between \$100,000 - \$125,000; 2) creating a park on the recently purchased upper portion of Hewitt for around \$90,000; 3)

utilizing the open space at the Estates at West Amwell, which would run around \$250,000, but was deemed not viable due to parking; and, 4) using the municipal field that abuts school property for between \$100,000-\$125,000. If the latter is seen as an option, the high school would partner the cost through their budget. Also mentioned was that the soccer league has funding in the range of \$125,000 - \$150,000 to contribute, although there could be issues. Mr. Rich continued that a field on municipal property is viable and would not impact the proposed solar array. He proceeded to explain how money from JCP&L for mitigation could be leveraged for a soccer field project with no cost to the Township except for the land. A lengthy discussion ensued with various points/issues raised e.g., whether the other two municipalities would be contributing; selling the land to the high school so they could develop the field; the liability for sports that would be incurred by the Township should it retain the land; whether the Township wants this type involvement; the process as presented is confusing; the Township has a park and property while the school is in the business of sports; this is a chance to do something with money that is not coming out of the budget; whether the Township should take money from JCP&L earmarked for tree mitigation and give it, as well as the property, to the school; that residents would say not to give the school money; that the BOE could come up with money to fund a field, if they wanted to; that this is an opportunity to develop a soccer field; the possible need for an ordinance/public hearing to utilize the money; that the need for a soccer field was unknown prior to this evening; who would build same; and, whether there is a need for two properties with fields or should the focus be on Hewitt Park. No decision was forthcoming and a suggestion was made by the mayor that the school come to a meeting to explain what they want. The list of other attendees included representative from Parks & Rec, Open Space, Environmental, the BOE, and South Hunterdon's Principal, Business Administrator and building & grounds person, the Township CFO and Engineer Burr.

**Applications for Fire Company Membership** – Memberships applications were received from Zachary Lubchansky and Morgan Styer, both of West Amwell, and approved.

**Resolution Supporting "Drive Sober or Get Pulled Over" Program** – Captain Bartzak has advised that a grant for this program has been obtained and a resolution is required for authorization purposes.

RESOLUTION #127-2015

*Supporting the Drive Sober or Get Pulled Over 2015 Statewide Crackdown*

**Whereas**, approximately one-third of all fatal traffic crashes in the United States involve drunk drivers; and

**Whereas**, impaired driving crashes cost the United States almost \$50 Billion a year; and

**Whereas**, 27% of motor vehicle fatalities in New Jersey in 2013 were alcohol-related; and

**Whereas**, an enforcement crackdown is planned to combat impaired driving; and

**Whereas**, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

**Whereas**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2015 Statewide Crackdown*; and

**Whereas**, the project will involve increased impaired driving enforcement from August 21 through September 7, 2015; and

**Whereas**, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

**Therefore**, be is resolved that the governing body of West Amwell Township declares its support for the *Drive Sober or Get Pulled Over 2015 Statewide Crackdown* from August 21 through September 7, 2015 and pledges to increase awareness of the dangers of drinking and driving.

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

### **OPEN TO THE PUBLIC**

Mr. Cronce relayed that paving work has been completed on the three areas previously identified. He is very pleased with the results and complimented the DPW crew on a great job, noting that the summer help situation made this work out. There was a slight glitch in that the needed trailer was not available but contact was made with the Hunterdon County road department and a trailer was made available at no cost. The exception to this is that a tire blew and had to be replaced. A ton of asphalt was spread between the three areas paved and Mr. Cronce expressed appreciation to the Committee for allowing the DPW to take charge of the project. He also advised that project planning for the 2016 budget is underway and that the buildings received a cleaning this year. The DPW's next project concerns some trees on Alexauken Creek Road for which the County will provide some assistance. Mr. Cronce also advised that the guys have hustled around the work load and have rallied around Mr. Rollero.

Mr. Beaumont expressed appreciation for the repair of a road problem in the vicinity of Road Road and the Quonset hut as well as for the \$110,000 negotiation with JCP&L. He also suggested that perhaps the school's woodshop could make the municipal sign and mentioned that there are nasty smells in the 518 area in the late afternoon. Mr. Fisher advised that it was mostly likely was coming from the spread of liquid manure. Whether this spreading could occur in the early morning instead was questioned.

### **ADMINISTRATIVE REPORTS**

**Treasurer –**

Presentation of Bills for Approval:

#### RESOLUTION #128-2015

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 \$2,359,753.83, dated August 19, 2015, 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 August 19, 2015 were provided and reviewed.

**Construction –** The Permit Fee Log Summary for July 2015 reflect the issuance or update of 20 permits for a total of \$5,084.00 for West Amwell. Thirty (30) CA's and one (1) CO were processed per the Certificate Log Summary. The Permit Fee Log Summary for East Amwell reported the issuance or update of 33 permits and \$17,644.00 collected under PermitsNJ. Five (5) additional CA's were processed under Road Runner. Twenty three (23) CA's were processed according to the PermitsNJ Certificate Log Summary, with another thirty (3) processed through Road Runner.

**Court –** The June and July 2015 monthly reports were received showing a ticket total of 432/380 (227/181local) and the receipt of \$14,734.95 & \$13,451.04, respectively.

**Police –** The July 2015 Monthly Report showing 903 incidents, 199 summonses and 2 warnings was received.

**Website Review –** None

*The foregoing reports were accepted, without comment, as filed.*

### **CORRESPONDENCE**

The correspondence as listed on the Agenda was ordered filed.

### **ADJOURNMENT**

There being no further business, the meeting was unanimously adjourned at 10:09 p.m. on motion from Rich.

Respectfully submitted,

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Lora L. Olsen, RMC  
Township Clerk

APPROVED: September 2, 2015