

WEST AMWELL TOWNSHIP COMMITTEE MEETING

November 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 7:32 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, Barbara & John Hencheck, Dave Beaumont, John DuPuis, Ken Turi, David Gill, Hal Shute, and Committeeman-elect Stephen Bergenfeld.

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 was added or deleted.

ANNOUNCEMENTS

- Municipal Offices Closed – November 11th, Veterans Day
- Hazardous Waste Day – November 14th, 9 a.m.-1 p.m., County Complex, Rt 12
- Municipal Offices Closed – November 26th & 27th, Thanksgiving
- PSE&G to Perform ROW Vegetation Maintenance from Nov 1 throughout 2016
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The October 21, 2015 Regular and Closed Session minutes were unanimously approved on motion from Rich, seconded by Dale.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

John DuPuis gave a brief report on the Municipal Alliance. The last meeting of the group was October 26th at which the bills were paid. A check has been received from the Jason Fuhr Golf Tournament. There is a new program called LEAD that is need of support. This replaces the outdated DARE program.

John Anderson of JCP&L spoke about the upcoming paved driveway apron and gate installation work at the transmission station. The original approval was for a gate 75 ft. in from the road but it has been recently determined that this would place it in an open field where it would serve no purpose. Mr. Anderson sought a change of gate placement to 30 ft. off the paved apron to take advantage of the berm and vegetation. This would make it difficult for unauthorized individuals to drive around the barrier yet still allow JCP&L trucks to pull in off the road to gain access. The request was unanimously approved. Township Engineer Burr is to be notified of the change.

SPECIAL PRESENTATION(S)

John and Barbara Hencheck apprised the Committee of the availability of their limited edition book The Road Along the Rocks 1758: "The Bungtown Road." Closed in 1872, this long abandoned road, located in West Amwell Township, is most likely the most historical road in the nation, per their research. The cavaliered stone wall uncovered along the roadway is second to none in its construction and was most likely built around the time of the French and Indian War and the Field Barracks in Trenton. The importance of the peach crop to the local economy, with the transport of the resultant product--barreled distilled spirits--over this portion of road to the Raritan River, as well as the use the road during the Revolutionary War by notables of that time period, including those who marched to the Monmouth battlefield, was briefly overviewed. This road is a candidate for the U.S. National Historic Landmarks program. The Committee requested that a note be placed on the website concerning the book's availability.

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

The proposed introduction of Ordinance 11, 2015 was held.

STANDING COMMITTEE REPORTS

Open Space

- *Authorization to Post July 14, 2015 Minutes to Website:* Approved

- *Preserved Acreage Total:* Hal Shute reported that there's almost 5700 acres in the **preserved properties** inventory. Recent additions include Lambert, Holcombe (2), Toll (2), Case, Kilmer, Silvi, Gulick (3), Janyszewski, Halper, Kaluzny, Wooden and Comly (2). These most recent properties alone total approximately 1300 acres. Mr. Shute noted that a lot of time and open space money was expended to do this and that the effort will help with the affordable housing numbers.

- *Project Status Updates:* Copies of the filed paperwork for the preservation of **Toll North** has not yet been received in the Clerk's office. The **Lambert** family is okay with the introduced ordinance, and the ability for a second house on the property, so the preservation can proceed. Paperwork has been sent to the State for the funding. A press release on the preservation of Toll North and Lambert is anticipated once the latter has closed. The paperwork for the **Holcombe** property is in the hands of the SADC and will be a 2016 project. Mr. Shute added that there are no other properties in the pipeline at this time.

Township Committeeman-elect Steve Bergenfeld was acknowledged and welcomed to the table at this time.

UNFINISHED BUSINESS

Possible Appointments: Mayor Fisher appointed Ken Turi to the Alternate 2 slot on the Zoning Board of Adjustment. The appointment was unanimously approved on motion by Rich, seconded by Fisher. This is an unexpired 2 year term ending December 31, 2016.

Unsafe Structures – Rt 31 – Attorney Faherty distributed information recently received from the NJ State Historic Preservation Office. He relayed that there is an application process, that includes a site plan among other several other things, in order to take the house down. Item held for the next meeting.

Mr. Rich inquired about the status of the title search on the Connaught Hill property. If there is no money to be found in the budget, this will have to wait until 2016.

Equalized Evaluation Appeal – Dave Beaumont reported that information was sent to Attorney Haushalter for review, with the initial response that, if the facts are correct, chances are good for an appeal. Mr. Beaumont overviewed the risks involved, including the cost should this go to court, and possible challenge by Lambertville and Stockton. Discussion ensued about the effect on the ratio and tax levy; whether the fight would be worth it given the amount of data available; and, if the process can be stopped if need be. If the decision is to move forward, a professional services resolution will need to be adopted at the next meeting.

Rich motioned to authorize Harry Haushalter to proceed for an appeal and for both David Gill and Dave Beaumont to speak with the attorney. Fisher provided the second and the motion carried unanimously.

Shared Service with East Amwell for Traffic Enforcement – Captain Bartzak is to be consulted about his talks with the East Amwell administrator. Item held.

Professional Services for 2016 – Mr. Rich proposed a Fair and Open solicitation for Bond Counsel as he was not happy with recent consultations. As there was no objection to this course of action, an advertisement will be placed on the League website. The remaining professional service categories will be through the Non-Fair and Open process.

Animal Control Draft Contract for 2016 Shared Service – The Lambertville City Clerk has advised of the salary being requested by the new ACO. As the Township has already agreed to continue this shared service, the consensus of the Committee was that Lambertville would determine the salary and the Township's share.

SHREC – 1) The proposed **Community Aggregation Notice** for the next round was reviewed and approved. The consultant will be so notified. 2) A second amendment to the **Solar Power Purchase Agreement** was received. Mayor Fisher relayed that Marina Energy has pulled out. Although Lambertville is the lead agency, there have only been e-mails, no discussions, and no meeting has been proposed on this project. He will attend the school's buildings and grounds meeting next week to ascertain their position on continuation. The mayor is of the opinion that if the Township doesn't give an extension, the project dies. It would then be possible to start over. He opined that the current agreement is too rich in the Township's favor to get accomplished.

The approach as relayed by the mayor was favorably received.

Affordable Housing – The Vacant Land Analysis has been completed by Maser and copies were distributed for review. The report concluded that “after applying the environmental constraints and other exclusion factors...there are no properties remaining in West Amwell Township that are suitable for affordable housing.”

NEW BUSINESS

PennEast – 1) *Leon Walters* requested, through Deputy Mayor Rich, that he wanted it on the record that the PennEast map has a construction staging area located on his property; that he has not been contacted by the company; and, is furious about the assumptions being made. 2) PennEast advised that their *environmental survey* crews will be in West Amwell this week. The two properties mentioned were a NJDEP parcel on Old Route 518 East and the JCPL property on Rocktown-Lamb. Road, neither of which are under Township jurisdiction. 3) Mayor Fisher advised that he has been in touch with the Township Engineer concerning the question raised by PennEast on *Township road crossings*.

Resolution Acknowledging Receipt/Acceptance of Gift

RESOLUTION #152-2015

WHEREAS, a check for \$110,000 has been received from JCP&L in lieu of a previously approved mitigation obligation for the expansion of the Rocktown-Lamb. Substation project; and,

WHEREAS, N.J.S.A. 40A: 5-29 authorizes and empowers municipalities to receive same and utilize in any manner consistent with the laws of the State of New Jersey

THEREFORE, BE IT RESOLVED that the Township Committee of West Amwell Township hereby acknowledges receipt, and approves acceptance thereof, of this \$110,000 check from JCP&L

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

Mileage Rate Inquiry – A request was received from the Construction Official to amend the policy manual to reflect the current federal mileage rate. The Clerk was requested to relay that the matter will be considered during 2016 budget deliberations.

Letter on Gateway Project – The project is for federal funds to be invested in passenger rail projects into mid-town Manhattan. The mayor was unanimously authorized to sign the letter.

Letter from Michael Ehrenreich re: Conditions on Rt 29 – Mr. Fisher addressed the issues raised, commenting that the speed reduction, improved signage and crosswalk have merit and that he has a call into the State. As for the rumble strips, no violation was noted and their removal was not supported.

The Agenda order was modified to allow for public comment prior to hold the closed session.

OPEN TO THE PUBLIC

No one came forward.

Resolution to Enter Closed Session

RESOLUTION #153-2015

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances, and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

NOW, THEREFORE, BE IT RESOLVED by the Committee of West Amwell Township, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
ATTORNEY-CLIENT PRIVILEGE
3. It is anticipated at this time that the above stated subject matter will be made public

when the matter has been resolved.

4. This Resolution shall take effect immediately.

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

The meeting returned to Open Session at 8:55 p.m. with no announced results.

ADMINISTRATIVE REPORTS

Treasurer – The following Transfer resolution was presented:

RESOLUTION #154-2015
(see attached)

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

Tax Collector – The following Redemption resolutions were presented:

RESOLUTION #155-2015

WHEREAS Tax Sale Certificate #1-2010 for Block 10 LOT 4; 1226 Route 179 assessed to Anthony and Angelina Lofaro was sold on July 13, 2010 to West Amwell Township and,

WHEREAS the amount of \$651.07 has been received from First Partners Abstract 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 \$651.07 payable to West Amwell Township.

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

RESOLUTION #156-2015

WHEREAS Tax Sale Certificate #201503 for Block 28, Lot 39; 769 Brunswick Pike assessed to Marlowe and Elizabeth Furan was sold on October 20, 2015 to DSHC Enterprises LLC and,

WHEREAS the amount of \$497.59 has been received from Elizabeth Furan, 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 \$497.59, and

THEREFORE BE IT FURTHER RESOLVED that the Treasurer be authorized to prepare a check in the amount of \$5,200 .00 for signature for the return of the premium collected for this certificate and, that these checks be made payable to:

DSHC ENTERPRISES LLC
PO Box 524
Plainsboro, NJ 08536

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

Website Review – Held

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 9:00 p.m. on motion from Fisher.

Respectfully submitted,

Lora Olsen, RMC
Township Clerk