

WEST AMWELL TOWNSHIP COMMITTEE MEETING

February 3, 2016 - 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 7:30 p.m. Present were Mayor Zachary T. Rich, Deputy Mayor John Dale, Committeeman Stephen Bergenfeld, Clerk Lora Olsen and Attorney Philip J. Faherty III. Also in attendance were Michael Ehrenreich, Rebecca Gilman, Ryan Rollero, John Cronce, Cathy Urbanski, Dave Beaumont, Jeff Ent, and Joel Coyne and Uli Zimmer

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 7, 2016, 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 Rich led the assembled group in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following items were added: 9.B Environmental – Mitigation project Deleted was 13.B Tax Collector. Motion to approve was offered by Rich, seconded by Dale and carried unanimously.

ANNOUNCEMENTS

- Municipal Offices Closed for President's Day, February 15, 2016
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The January 20, 2016 Regular minutes were unanimously approved on motion from Bergenfeld, seconded by Dale.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

John Cronce offered congratulations to Mr. Bergenfeld and the entire Committee for the great job being done and for being interested in serving in this capacity.

Zach Rich spoke to the phenomenal job that was done by Roads, Fire, Rescue and Police during the recent snow that dropped over 2 feet of snow on the area. He specifically singled out Road Supervisor Rollero stating that he was "thrown into the fire; killed it; and produced an awesome job." Appreciation was also extended to Chief Ent, John Cronce and all that were on top of the situation that night.

SPECIAL PRESENTATION(S)

Budget Requests – Submissions were received from the Planning Board, Court, Construction, Public Works, Zoning Board, Housing, Fire Prevention, Environmental, Parks & Recreation, Ag Advisory, and the Fire Department.

John Cronce and Ryan Rollero came forward to overview the Public Works request. The mayor relayed that he met with Roads and Construction for ideas. Other departments have been re-built but Roads (DPW) is down. A short and long term plan has been prepared and appreciation was extended to both John and Ryan for a good job. The specific areas of this budget were then viewed in some detail. Under tools/equipment, the need for a generator was mentioned. There is already money set aside for this purchase in a capital ordinance, but quotes are needed. It is anticipated that an appropriate unit would run around \$3500.00. A five year plan for chip seal and overlay work was relayed. Fixing the cracks in the municipal parking lot, striping crosswalks at the Estates, as well as those at the municipal building, a new roof for the DPW shop, new doors for the garage at the recycling center, and road construction equipment were noted. Also mentioned was mounting a plow on the garbage truck as an emergency back-up for use on flat roadways and acquiring a F250 utility body truck with plow. Mr. Rich will meet with the Finance committee to see how funds can be allocated to make all this happen. A public works manager course for Road Supervisor Rollero was approved. This is a two year program and the first class begins in March.

West Amwell Fire Chief, Jeff Ent, presented his budget that included almost \$23,000 in mandatory items as well as replacing an engine originally scheduled for this action in 2012. The new price is \$520,000, up \$100,000 from last year. If this engine is not replaced, another \$20,000 was requested for emergency repairs in that the engine is 22 years old and has some operational concerns. Mr. Ent requested that the Committee's thoughts be provided as soon as possible as a game plan is needed. Also on the list was \$15,000 for new personal protective equipment. The balance of loan from 2008 is \$2732. The capital requests can be purchased through a coop but not state contract. Options are to buy outright, lease-purchase, or through Houston Galveston. The delivery of a new engine would take close to a year. Mr. Ent will follow-up at a meeting in March.

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Introduction: Ordinance 03, 2016

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

AN ORDINANCE TO REFLECT AN INCREASE OF THE WEST AMWELL TOWNSHIP COMMITTEE FROM THREE TO FIVE MEMBERS

BE IT RESOLVED by the governing body of West Amwell Township that following be enacted:

Section 1

(1) **Creation.** The Township Committee is hereby established pursuant to N.J.S.A. 40A:63-2 and consists of five members elected at large by the voters of the township in an election held on the first Tuesday in November.

(2) **Term.** In accordance with N.J.S.A. 40A:63-3d(1), in the first election of Committee members expanding the number of the Committee to five, to take place on November 8, 2016, one of the new positions shall be elected for a term of two years and one for a term of three years. Thereafter, all terms shall be for a term of three years. Each member of the Committee holds office for a three-year term staggered in their initial selection.

(3) **Organization.** The Township Committee pursuant to N.J.S.A. 40A:63-3 is required to hold an annual meeting (reorganization meeting) on January 1 of each year or during the first seven days of January in any year. During this meeting the Committee is to select one of its members as Chair of the Committee, who is to preside at all of the meetings and who is known as the Mayor. Except where otherwise provided by law, the Mayor shall have no additional authority by virtue of such designation. The Township Committee shall also at its annual meeting elect from among its members a Vice Chair, who shall act and be known as the Deputy Mayor of the Township. In the absence, disability or disqualification of the Mayor, the Deputy Mayor shall perform all duties and responsibilities of the Mayor.

Section 2. If the provision of any article, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court or competent jurisdiction, such Order or Judgment shall not effect or invalidate the remainder of any such article, section, subsection, paragraph or clause, and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 3. This Ordinance shall take effect following passage and publication according to the laws of the State of New Jersey.

Rich moved to introduce the Ordinance on first reading and Bergenfeld seconded. Motion carried unanimously. The public hearing will be held February 17, 2016.

There will be three slots to be filled for the June primary election. One three-year for the expiring term, one three-year and one two-year term to bring membership to five. Paperwork to this effect has been filed with the County Clerk.

STANDING COMMITTEE REPORTS

Open Space

- *Project State Updates:* Mr. Cronic advised that the Holcombe project is moving forward. He also relayed that talks are underway with other land owners.

- *County Grant Application:* Cathy Urbanski presented the paperwork to obtain a portion of the County's open space tax money as the receipt of same is not automatic. The Township is required to make an application and must also provide maps. The application is for 2015 and 2016 allocations and is in the amount of \$45,619.00. Attention was called to a spreadsheet that

was also a requirement for the submission. A lot of time and effort was put into developing this listing of preserved property and appreciation was extended to Mrs. Urbanski for pulling this together.

The mayor was unanimously authorized to sign on motion by Dale, seconded by Bergenfeld.

Environmental

- *Report of Activities for 2015:* This report is a statutory requirement and will be posted on the website.

- *Mitigation Project:* Mrs. Urbanski reported on her discussion with Marla Roller and relayed that planting requirements are for 55 two-inch diameter trees, 110 shrubs, and 156 whips. She further explained that Township Engineer Burr has advised that the first step in the process is for Ms. Roller to prepare a design in junction with resident involvement. Native, low maintenance plantings for the median strip at the Estates is desired per Environmental Commission discussions, with planters around the lamp and flowers suggested. However, the question was raised as to additional projects and timeline for same. Planting on the municipal property should be held until the DEP hurdle is crossed and Hewitt Park work should wait until the soccer field is fixed. The importance of having a landscape designer for the median strip was emphasized by the mayor but to sit tight on other projects was the direction given. Formulating a consensus for a bid on the median project, including input from Mr. Cronic and Mr. Rollero, and getting an estimate on cost was requested. Mrs. Urbanski inquired whether a resolution is needed in order to 'bank' the remaining money for other projects. Mr. Rich will reach out to the CFO and Engineer.

UNFINISHED BUSINESS

Possible Appointments – none

Conditions on Route 29/Resident Concerns – Michael Ehrenreich came forward as the owner of 1872 River Road to relay his concern over the rumble strips installed last June by NJDOT in the center line of the road bed in the vicinity of the curve at Old River Road/Fireman's Eddy. There was no notice given to residents for this; the work was performed without permit from the Delaware & Raritan Canal Commission; and, according to NJDOT, there is no specific roadway safety issue being addressed but that the rumble strips were installed as part of standard policy. Federal guidelines were referenced and a NJDOT study obtained through an OPRA request states that centerline rumble strips should not be used within 200 meters of a residential area. Mr. Ehrenreich also advised that the rumble strip noise is in violation of the Township's noise ordinance. He would like the rumble strip removed. Additional concerns raised were for a pedestrian crosswalk and a speed limit reduction to 35 mph between Lambertville and the Golden Nugget. Mr. Ehrenreich is looking for support from the Township Committee on these issues; alleged that the rumble strip creates accidents; and, noted that there was no safety issue that caused their installation. He has also been in contact with Assistant Commissioner Case. Mr. Ehrenreich was advised that these issues are the purview of the State and that there is only so much that the Township can do.

Mr. Ent, spoke to the accident issue, noting that there have been several head on collisions North-bound and minor ones South of Old River Road. The area of Old River Road to Lambertville has the most accidents and there have also been a couple at the intersection.

Joel Coyne, a resident of the area in question from 1997, and an Environmental Health Specialist in Bernards Township, spoke in support of Mr. Ehrenreich's concerns stating that the noise is 'awful' and very annoying. The cars cut the curve and there's a lot of dump truck traffic around 5-6 a.m. which amplifies the sound. He added that the Gordon family has also written about this and the quality of life in their area has been impacted. Mr. Coyne also advised of the dangerous conditions involving the blind curve at the flea market; that the current speed limit of 45 mph is too high given pedestrians with no cross walk; and the difficulty of left turns from the flea market.

Mr. Rich advised that he will check into the situation and will also be in touch with Lambertville. He requested that the report cited in Mr. Ehrenreich's report be forwarded to him, especially the portion the 200 foot reference.

The Committee was also advised by Mr. Ehrenreich that the DRCC has a permit application from NJDOT for the March meeting of the Commission and noted that the State is not exempt from the rules.

Updates – 1) Attorney Faherty has been in touch with the owner of the ***Unsafe Structure – Rt 31 Block 23 Lot 12*** and has provided a copy of the deed to confirm that ownership. The owner was to send someone out to look at the property but there's been no response. Another outreach was made earlier this week and a possible donation to the Township has been

mentioned. 2) A listing of **municipal building maintenance issues** was provided. A quote from CNS Building Services for **cleaning** was *unanimously approved on motion by Rich, seconded by Dale*. This is the group that cleans for Lambertville and the City Clerk is pleased with their service. 3) The possible use of a rock for a **municipal sign** was suggested. Item held. 4) It may be that the Township already has title to **Block 46 Lot 5** but the search is more difficult than thought at first. The cost, however, may be less than originally anticipated. 5) A meeting with the **payroll company** recommended by Mr. Bergenfeld took place last week. Offerings are similar to the current provider but the cost is less per pay, due to a discount applied. Mrs. Olsen noted that Ms. Haberle likes Prime Point and there is already a new finance program that the latter is learning. As USA Payroll saves money, Mr. Dale was supportive of the move. *Rich motioned to change providers and Bergenfeld seconded. Motion approved unanimously.* 6) The Freeholder **CEDS presentation** is scheduled for the March 2nd meeting. Anticipated attendees include Freeholder Director Lagay, Freeholder Matt Holt, Sue Dziamara, Planning Director and Ken Bogen, Senior Planner.

The mayor raised a question about the affordable housing (COAH) numbers and status of the process. The new plan is the responsibility of the Planning Board, although it was noted that there's no buildable area in the Township per information received.

Third Amendment to Solar Power Purchase Agreement – Attorney Faherty has not heard from the insurance company as to their position on the agreement. He will place a follow-up call to see where this stands.. Mr. Rich offered to place a call to Ryan Marrone as there was interest in breaking ground in March.

NEW BUSINESS

Resolution Refunding Excess Zoning Board Escrow Fees –

RESOLUTION #34-2016

WHEREAS, it has been determined by the ZONING BOARD OF ADJUSTMENT of West Amwell Township that the following applicant's escrow fees are in excess of what was needed to cover their charges, and

WHEREAS, the Zoning Board has approved a refund of the following amount; \$662.26 and further requests the account be closed.

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 applicants:

Applicant	Amount Refunded
MARTIN BEEKMAN & VITA LASALA Hopewell Valley Community Bank, Account Escrow ID: #77201502	\$662.26

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

Resolution Amending S & W –

RESOLUTION #35-2016 Amending Resolution #84-2015

BE IT RESOLVED by the Committee of the Township of West Amwell that the 2015 Salary and Wage Resolution, adopted May 6, 2015 be amended as follows:

Position	Salary/Compensation
<u>Delete:</u>	
Building Custodian (Admin & Police) Sutch	11.27/hr
<u>Add:</u>	
Building Custodian (Police) Parsons	15.00/hr (up to 2 hrs/week)

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

2016 Surface Treatment Program/Municipal Participation – Interest in participating in this project needs to be made in writing no later than March 14th. Road Supervisor Roller will attend to this filing.

A change in Agenda order was made at this point.

OPEN TO THE PUBLIC

Attorney Faherty addressed the matter of a noise ordinance and noted that there's not enough money in the prosecutor's budget to cover. What is there (rumble strips) is not illegal and that the violators are the drivers that cross the rumble strips. The matter of a crosswalk and speed is do-able but not noise.

Dave Beaumont came forward to inquire about the work without permits issue, both new and old, noting that there's something not right with the process, citing the recent issue with the ratio challenge. A brief discussion ensued concerning responsibility for follow up and the perception of realtors about not having to worry about West Amwell permits. Mr. Bergenfeld noted possible Township liability issues at stake. It was generally agreed that a standardized format for reporting Assessor findings. Attorney Faherty offered that the Construction Official should go out and cite violators and suggested that a form be completed, submitted to the Construction Official and the Township Committee. A form is to be designed.

Agenda order was resumed at this time.

Resolution to Enter Closed Session –

RESOLUTION #36-2016

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:
PERSONNEL
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 Rich, seconded by Dale.

The meeting returned to Open Session at 10:14 p.m. with the following result:

Dale motioned to take action on the subject of the closed session in the form of termination. Rich seconded. Motion carried unanimously.

ADMINISTRATIVE REPORTS

Treasurer –

Presentation of Bills for Approval:

RESOLUTION #37-2016
(Revising Resolution #33-2016)

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 \$2,225,718.16, dated February 3, 2016,* as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations.

** Due to issues with the new financial systems, this total includes bills approved for payment at the January 20, 2016 meeting*

Bergenfeld motioned to approve the evening's bills for payment, with a second by Rich. Motion carried unanimously.

Website Review

No comments were made.

The reports were accepted as filed 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 10:16 p.m. on motion from Rich.

Respectfully submitted,

Lora Olsen, RMC
Township Clerk

APPROVED: February 17, 2016