

WEST AMWELL TOWNSHIP COMMITTEE MEETING

February 17, 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 George Fisher, Dave Beaumont, Hal Shute, John Dale, Ryan Rollero, John Cronic, and Gordon Haas.

Mayor Rich 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

The mayor led the assembled group in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following items were unanimously approved for addition to the agenda: 10.B Updates – Generator; 11.B New Business: LOSAP List of Eligible Recipients & Resolution; SHREC Electric Bid; and, Municipal Attractions request

ANNOUNCEMENTS

- Late Fees Now Apply for Annual Dog Licenses
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The February 3, 2015 Regular and Closed Session minutes were unanimously approved on motion from Dale, seconded by Bergenfeld.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

Dave Beaumont relayed that the teacher contract had been signed and ratified. He's been reviewing sales information for equalization purposes and will work with David Gill to resolve issues to avoid appeal. He also inquired about the status of the work without permits form.

SPECIAL PRESENTATION(S)

None

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Public Hearing: Ordinance 01, 2016 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-5.14)

Proof of publication in the January 28, 2016 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the January 20, 2016 Township Committee meeting. Mr. Rich read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was closed.

Rich moved for adoption of the Ordinance and Bergenfeld seconded. The motion carried unanimously.

Public Hearing: Ordinance 02, 2016 AN ORDINANCE TO AMEND CHAPTER 109 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL – Checklist No. 1 Land Development Application

Proof of publication in the January 28, 2016 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the January 20, 2016 Township Committee meeting. The Planning Board supports the adoption of the ordinance per correspondence received from the Board's secretary. Mr. Rich read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was closed.

Dale moved for adoption of the Ordinance and Bergenfeld seconded. The motion carried unanimously.

Public Hearing: Ordinance 03, 2016 AN ORDINANCE TO REFLECT AN INCREASE OF THE WEST AMWELL TOWNSHIP COMMITTEE FROM THREE TO FIVE MEMBERS

Proof of publication in the February 4, 2016 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the February 3, 2016 Township Committee meeting. Mr. Rich read the Ordinance by title and opened the public hearing. Hearing no comments, the public hearing was closed.

Dale moved for adoption of the Ordinance and Bergenfeld seconded. The motion carried unanimously.

STANDING COMMITTEE REPORTS

Open Space

- *Authorization to Authorization to Post November 10, 2015 Minutes to Website:* Approved
- *New Project Discussion:* John Cronce and Hal Shute spoke about a 34+ acre piece off of Rt 518 (Block 28 Lot 23) currently owned by Thompson. It's a wooded parcel and the main reason to pursue is to tie together current open space parcels--it connects to Hewitt Park as well as the former Silvi and United Water properties. The property does not have a lot of building potential due to the power lines and the possible pipeline easement. However, Alix Bacon of the NJ Conservation Foundation has made contact as she believes a deal can be made with Thompson to sell in fee, which is something that the Township doesn't do. With Thompson, it's make an offer and then they decided yea or nay. Mr. Shute inquired if he should proceed with the 14 page option agreement and also get an idea from an appraiser as to cost. If Thompson signs, then the Township can sign and have the appraisal as support. Mr. Shute and Mr. Cronce were given the green light to investigate the matter further.

- *Misc. Charges to OS Trust:* Mr. Shute reviewed the charges made to the open space trust account, noting that this was something discussed last year. His recommendation is that the annual \$450,000 be allocated solely for debt services, instead of a portion going to maintenance operations. Brief discussion over possible referendum to reduce the open space tax; the definition of 'maintenance' as used in the ordinance; and, what that covers. Mr. Rich spoke about transitioning and prioritizing for a 5 year roads program and possible bonding for open space purchases. Mr. Shute relayed that the total open space debt is \$447,800 and that it drops 6 years sooner due to the re-financing that was done previously. He then reviewed the open space budget sheet, noting that the balance as of 1/1/2016 was \$402,112. The fund balance on 1/1/2018 is projected to be \$1,112.00.

- *Project Status Updates:* Mr. Cronce noted that the Holcombe project is back on track and has been submitted to the Executive Director of the SADC.

Environmental

- *Authorization Post January 14, 2016 Minutes to Website:* Approved
- *Compost Man Proposals:* Mr. Beaumont recapped a recent joint meeting of Environmental and Recycling with Kevin Carroll. Mr. Carroll is proposing a service for the collection of organic waste whereby a waste container would be provided and picked up at a cost of \$20/month to homeowners. This waste would then be composted and the end product made available for sale. This was not seen as something of interest for the Township although there are towns, such as Princeton, that are doing something similar. Mrs. Olsen added that Mr. Carroll called today inquiring whether he could set up collection at the municipal building. It was a consensus of the Committee that there was no interest in pursuing this proposal.

Finance

- *Authorization to Post January 7, 2016 Minutes to Website:* Approved

Mr. Rich presented a budget timeline. An excel sheet will be forthcoming to identify trends. Information would be due by the 24th with numbers presented at the 2/29 Finance meeting. The CFO's budget notebook would then be presented at the 3/16 meeting and comments reviewed on 4/6. An anticipated date for budget introduction would be 4/20, with final passage on May 4th. It was noted by Mrs. Olsen that this is later than the State's introduction date of March 20th.

UNFINISHED BUSINESS

Possible Appointments – none

Updates – 1) Attorney Faherty relayed that the Township can own the **unsafe structure** on Rt 31, Block 23 Lot 12 and cited his recent conversation with Royal Tax Lien Service in which Royal is willing to do a quit claim deed. This action, however, would place the problem in the lap of the Township Committee. It was agreed that prior to taking ownership, an application to the State be made to get approval for demolition. 2) Further discussion on the **municipal sign** was held. 3) Attorney Faherty advised that the title search for **Block 46 Lot 5** found that it belongs to Arnett; however, it is not one of the properties that were included in a suit filed a few years back whereby the descendants got title to various properties through an old law. The information will be presented to Attorney Tauriello to see if a donation to the township is possible. The matter of back taxes owed was raised. Tax Collector Hyland will be asked about how far back taxes can be collected. 4) The mayor responded to the receipt today of an e-mail from Mr. Ehrenreich concerning **Route 29** issues by advising that he could make contact in a couple days. 5) The status of the **generator** was questioned by Mr. Bergenfeld. A bid is to be completed by March 15th, according to Mr. Rich, and the township engineer was authorized to proceed.

Third Amendment to Solar Power Purchase Agreement – Attorney Faherty advised that the insurance company is okay with the new language. The agreement can be signed, if desired. Basically, the amendment extends the start date. If the company doesn't meet the deadline, the matter can be dropped. The mayor requested that another copy be provided for review purposes. Item held.

Roadman William Leary – Mr. Leary was unable to attend due to illness, according to Road Supervisor Rollero, who also advised that things are 'on track.'

NEW BUSINESS

Access/Trespass Issue – Gordon Haas of 50 Weeden Street came forward, noting that his property is in both Lambertville and West Amwell and that he has been a resident since 1999. He presented various maps and surveys as there is an issue over whether the access to his house is his driveway or a continuation of Weeden Street. The Township has never plowed it but his neighbor uses it as access to their house at 35 George Washington Road. Mr. Haas stated that the neighbor has access to George Washington Road but no current driveway to same. He wants them to put in their own driveway due to safety concerns. There is nothing on his title search about this but there is a ROW on the survey map. Attorney Faherty advised that this is a civil matter and, that if this is a long time situation, it would be difficult to cut off access. However, this is something that a judge would have to decide and it will be costly. A new survey would be required as there are currently survey differences, per the paperwork provided. If the objective is to cut off access, this is not something that the Township Committee can decide. In addition, Attorney Faherty does not believe this to be a township road as there's been no dedication of same and it is not up to specifications. Mr. Haas was advised to retain an attorney.

Mr. Beaumont questioned a similar situation on Rock Road West at the bend where it becomes part of the old Rock Road. He thought that the latter was a road with public access but kids have been yelled at when using it. Mr. Hofstetter told him that the Township doesn't own the road but that deeds state public access. Attorney Faherty advised that property descriptions run to the center line but the property is owned subject to rights of the public. However, if a road is abandoned, the property reverts half and half to the property owners on either side. Road dedications are filed at the County.

Resolution Refunding Inspection Fees –

RESOLUTION #38-2016

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

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
Howard Spencer	\$85.00

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

Resolution Refunding Zoning Application Fee –

RESOLUTION #39-2016

WHEREAS, the Township Committee has been advised by the construction office that the following applicant's application for a zoning permit for Block 8 Lot 23.01 was never processed and a resubmission made with an additional payment

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell that the Treasurer is hereby authorized to refund the following amount to the applicant:

Applicant	Amount Refunded
Mitchell Ege	\$100.00

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

Vehicle Maintenance Quotes (Police & DPW) – A Request for quotes was distributed to five local establishments. There were only two timely responses.

RESOLUTION #40-2016

WHEREAS, West Amwell is in need of a maintenance facility for its police and/or DPW Ford Super-Duty vehicles; and

WHEREAS, it is anticipated that the cost for said repairs will exceed the quotation threshold of \$2,625.00 but will not exceed the bid threshold of \$17,500.00 for 2016; and

WHEREAS, a request for quotes was distributed; and

WHEREAS, solicited quotes were due on February 12, 2016, with two responses received as follows:

	Hourly Rate	Routine Turn-Around	% off List
Maxx's Fleet Repairs LLC	\$95.00	Same Day	20% (if applicable)
Amwell Automotive Inc.	\$111.95	Same Day	--

WHEREAS, a Business Registration Certificate was received from Amwell Automotive only; and

WHEREAS, the CFO has certified that funds are available in the 2016 temporary budget and will be made available in the 2016 Budget under Vehicle Maintenance OE.

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the quote for 2016 Automotive Repair be awarded to Amwell Automotive

The Resolution was unanimously approved on motion by Bergenfeld, seconded by Rich

Statewide Insurance Grant Program – Participation in this program was approved. The Township Clerk was requested to make application.

PTO West Amwell School re: Raffle Application – The Findings & Determination were unanimously approved on motion from Rich, seconded by Dale.

- Resolution:

RESOLUTION #41-2016

WHEREAS, application has been received the Township of West Amwell to grant a raffle license, and

WHEREAS, no objections have been received the Clerk of the Township, nor were any objections made at the regular meeting.

NOW, THEREFORE BE IT RESOLVED that the raffle license be granted

TO: PTO West Amwell School
BENEFIT: Help Offset Costs for the 6th Grade Educational Class Trip

DATE: April 8, 2016
TIME: 2:00 p.m.
LOCATION: West Amwell School
1417 Route 179, Lambertville NJ 08530

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

Yearly Employee Review - Held

LOSAP Resolution – Mrs. Olsen noted that there are only seven eligible recipients this year.

RESOLUTION #42-2016

WHEREAS the LOSAP program requires that a certified list of eligible volunteers from an emergency service organization be submitted for review by the sponsoring agency; and,

WHEREAS said required list of members eligible to receive LOSAP awards for 2015 was received from the West Amwell Fire Company; and,

WHEREAS the sponsoring agency has 30 days to review the submitted list and request any records deemed necessary to ensure that the list is accurate; and,

WHEREAS the sponsoring agency has accepted the list as submitted

THEREFORE BE IT RESOLVED by the West Amwell Township Committee that the list is hereby approved; and

BE IT FURTHER RESOLVED that a copy of the eligible member list, together with a copy of this Resolution, be returned to the West Amwell Fire Company for the 30-day required posting.

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

SHREC Bid for Electric – The consultant will be going out for bid for both electricity and natural gas for municipal purposes. The current bid expires in April/May. There was consensus to move forward. Lambertville is the lead agency on this endeavor.

Municipal Attractions – The County is putting together a list of attractions in the various municipalities for their marketing campaign. A list provided by former clerk, Betty Jane Hunt, was reviewed and approved for submission.

OPEN TO THE PUBLIC

Mr. Bergenfeld referenced two letters received that were in the meeting correspondence. The first was a thank you from resident Sallie Frey concerning the road department and their good work during the recent snow storm. The other concerned the Strober project and their application for an advanced wastewater treatment system. This would be to support the proposed construction of a new two story mixed-used building that would include retail/office space on the first floor and eight 1-bedroom apartments on the second floor.

ADMINISTRATIVE REPORTS

Treasurer –

Presentation of Bills for Approval: A couple bills were questioned but satisfactorily explained for approval.

RESOLUTION #43-2016

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 \$646,334.42, dated February 17, 2016, 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 Dale and carried unanimously.

Tax Collector – The monthly report for January 2016 was received showing receipts in the amount of \$306,867.86.

Clerk/Human Resources – The quest to find a cheaper flexible spending plan was unsuccessful. Given the fact that there is little or no interest in this program, the decision is to either continue to pay \$75.00 month just to keep the plan open or cancel. If the latter is contemplated, a suggestion has been made that money be added to the medical reimbursement to mirror that of what is given to the police. Mr. Rich requested further information on the request.

Rich motioned to cancel the plan and Dale seconded. Motion carried unanimously.

Construction – The Permit Fee Log Summary for January 2016 reflect the issuance of 13 permits for a total of \$3,774.00 for West Amwell. Twenty five (25) CA's were processed per the Certificate Log Summary. The Permit Fee Log Summary for East Amwell reported 29 permits/updates issued and \$4,406.00 collected. One (1) CO and 17 (17) CA's were processed under Permits NJ, with another twenty one (21) CA's from UCCARS according to the Certificate Log Summary.

Police – The January 2016 Monthly Report showing 657 incidents, 109 summonses and no warnings was received. Twenty three (23) summonses were issued in conjunction with the shared service with East Amwell.

Website Review – No comment

The reports were received 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 9:27 p.m. on motion from Rich.

Respectfully submitted,

Lora Olsen, RMC
Township Clerk

APPROVED: March 2, 2016