

WEST AMWELL TOWNSHIP COMMITTEE MEETING

September 21, 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 7:36 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 Dave Beaumont, Bud Etchells and Anthony Poleo

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

Led by the mayor, those assembled joined in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following items were added: 10.F. Closed Session: Litigation (WAT vs James Vernor et al.) Deleted were: Treasurer & Tax Collector Possible Resolutions.

The changes were unanimously approved on motion by Rich, seconded by Bergenfeld.

ANNOUNCEMENTS

- West Amwell Auxiliary Pork Dinner, October 8th, 4 -7 p.m. Mt. Airy Fire House
- Municipal Offices Closed October 10th for Columbus Day
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The September 7, 2016 Regular and Closed Session minutes were held.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

No one came forward.

SPECIAL PRESENTATION(S)

None

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

None

STANDING COMMITTEE REPORTS

Open Space

- *Project Status Updates:* Neither Mr. Cronic or Mr. Shute were available this evening.

Environmental

- *Authorization to Post July 14, 2016 Minutes to Website:* Approved

UNFINISHED BUSINESS

Possible Appointments – none

Updates – 1) Attorney Faherty relayed that the title company is still looking for their file on **Block 46 Lots 5, 6, 7**. 2) There's been no response from South as to the location of **student parking** in the municipal lot. The mayor will follow up and the item to be left on the agenda until the situation has been addressed. 3) The matter of a **construction clearance/form** was held. 4) The Rock Road West issues concerning **rock/dirt transport and zoning** for a dual house mentioned at the last meeting have been investigated and resolved. 5) A recommendation from Township Engineer Burr for a State contract **generator** was relayed by Mayor Rich. Acquisition will take 4 to 6 weeks, bringing an installation date to November. Quotes for the installation of the unit will be solicited separately by Mr. Burr. A list of local contractors was provided, to which Jim Meskill is to be added. The consensus of the Committee was move forward as recommended and the following resolutions were presented for consideration:

RESOLUTION #132-2016
Amending RESOLUTION #122-2016

BE IT RESOLVED that RESOLUTION #122-2016 Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40a:11-12A is hereby amended to provide for the purchase of a generator for the Township's emergency services building as follows:

Referenced State Contract Vendors

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State Contract #</u>
Generac 48kW Generator	Warshauer Generator LLC	T2732

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

RESOLUTION #133-2016
Amending Resolution #123-2016

WHEREAS, there is a need to purchase a generator for the emergency services department of Township of West Amwell, in the County of Hunterdon, State of New Jersey; and

WHEREAS, this can be purchased through State Contract #T2732; and

WHEREAS the CFO has certified to the Township Clerk that funds are available in Ordinance 07, 2013; and

WHEREAS, public bids are not required when the purchase is under a state contract in accordance with 40A:11-12 of the Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of West Amwell, in the County of Hunterdon that the CFO is hereby authorized and directed to approve and forward a Purchase Requisition to Warshauer Generator, LLC for a Generac 48 kW generator as described in quotation number JC160913-B dated September 13, 2016

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

Resolution Awarding Block 23 Lot 12 Demolition – The bid packets were reviewed by Attorney Faherty. The mayor noted that the bid by Caravella was where it was thought it should be. The well-capping will be excluded from the award as the well is connected to the house at 370 Route 31. A water analysis has been scheduled and an easement will need to be prepared. Comments received from the Road Supervisor were relayed as to septic location, electric feed for the well, and visibility of the water line and tank.

RESOLUTION #134-2016

WHEREAS, the Township of West Amwell advertised and subsequently received bids for *The demolition, cleanup, and disposal of a house structure located at 374 Route 31 N (Block 23 Lot 12) in the Township of West Amwell*; and

WHEREAS, four bids were received as follows:

<u>Contractor</u>	<u>Bid Amount</u>	Alt-Well Cap	Alt Septic	Barn Option
Lawson Excavating	\$32,450	no bid	3500.	4000.
Caravella Demo	\$19,694	2395.	550.	3045.
Yannuzzi Group	\$31,400	no bid	no bid	no bid
Wild Heart Industries	\$28,000	5000.	4000.	3000.

WHEREAS, Philip J. Faherty, III, Township Attorney, has reviewed the submitted bids and determined that Caravella Demo submitted the lowest bid for the work requested and has submitted the appropriate paperwork; and

WHEREAS, it is the determination of the Township Committee that Caravella Demo complete alternate bid for septic and the optional barn bid; 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 the *Demolition, cleanup and disposal of a house structure located at 374 Route 31 N (Block 23 Lot 12) in the Township of West Amwell* is hereby awarded to Caravella Demo for a total of \$23,289.00.

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

Approval of E-ticket System - Held

Possible Recommendation/Approval of Hunter Exception Area – The Township engineer has advised via e-mail the documents received relative to the Hunter Estate property on Barry Road. Based on the information received, he has no objection to the governing body's approval of the proposed location of the 2-acre exception area and driveway as delineated. A brief exchange with the applicant concerning next steps, including set-backs, septic, a plot plan for zoning/construction, ensued. The need for additional escrow money was also noted. The following resolution was presented for consideration:

RESOLUTION #135-2016

WHEREAS, the Estate of Lowell Hunter has requested approval of the 2- acre exception area per a provision in the Deed of Conservation Easement; and

WHEREAS, the professionals for the applicant have provided information detailing that there are no wetlands or wetlands buffers within the proposed 2 acre exception area and driveway area shown on the submitted plan; and

WHEREAS, the applicant's engineer indicates that the existing driveway crossings are not subject to riparian buffers and have taken the position that no NJDEP permits would be necessary for development the 2 acre exception area for residential purposes; and

WHEREAS, a review of the Township's ordinance by William H. Burr, PE, indicates that the Township can rely on a certification from an applicant's professional stating that there are no environmental constraints within the area of the property to be disturbed; and

WHEREAS, the Deed of Conservation Easement states "...it is specifically understood that the Grantee's approval of the exception area does not relieve the Grantor (and/or its successors, heirs and assigns) from the need to comply with any and all other Township, State or Federal ordinances, laws, rules or regulations governing the use of the two (2) acre exception area for Grantor's desired purposes..."

WHEREAS, based on the information presented by the applicant, Township Engineer William H. Burr, indicated in his letter of September 21, 2016, that he has no objection to the Township Committee approving the proposed location of the 2 acre exception area and driveway as delineated on the submitted documents, noting that the applicant assumes all risk for developing this property in the future and will need to comply with any and all outside agency requirements, including NJDEP

THEREFORE BE IT RESOLVED, by the governing body of West Amwell Township that the placement of the 2 acre exception area as detailed on the submitted documents is hereby approved

BE IT FURTHER RESOLVED that this approval is **conditioned** on the posting by the applicant of an additional escrow in the amount of \$1,000 to cover the cost of the Township professionals' invoices.

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

Closed Session Resolution – Item held for later in the evening.

NEW BUSINESS

Award of Municipal Building Stormwater Retrofit Bid

RESOLUTION #136-2016

WHEREAS, the Township of West Amwell advertised and subsequently received bids for West Amwell Municipal Building Stormwater Retrofit Block 11, Lot 18

WHEREAS, two bids were received as follows:

<u>Contractor</u>	<u>Bid Amount</u>
DeSapio Construction, Inc.	\$147,635. + (bid bond \$2,123)
Down to Earth Landscaping, Inc	\$146,510.

WHEREAS, Princeton Hydro has reviewed the bids and recommends that the project be awarded to Down to Earth Landscaping, Inc. for the contracted amount less item number 16 for a total contract amount of \$93,510; and,

WHEREAS, Philip J. Faherty, III, Township Attorney, has reviewed the submitted bids and determined that Down to Earth Landscaping, Inc. submitted the lowest bid for the work requested and has submitted the appropriate paperwork; 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 West Amwell Township that the bid for the Municipal Building Stormwater Retrofit Block 11, Lot 18, is hereby awarded to Down to Earth Landscaping, Inc. of Jackson, New Jersey for a total of \$93,510.00.

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

Personnel Policy Manual - Held

ADMINISTRATIVE REPORTS

Treasurer –

Presentation of Bills for Approval:

RESOLUTION #137-2016

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 \$1,499,165.30, dated September 21, 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. Bergenfeld provided the second. Motion carried unanimously.

Treasurer Report: Appropriations through September 21, 2016 were provided and reviewed.

Court – The August 2016 monthly report was received showing a ticket total of 175 (78 local) and the receipt of \$3,929.30.

Website Review – None

The reports as presented were accepted, without comment, as filed.

OPEN TO THE PUBLIC (agenda order changed)

Dave Beaumont came forward concerning the status of the Rock Road West traffic issue. Mayor Rich advised that the STOP at the apple orchard will not be considered by NJDOT as their mantra is to keep traffic flowing. Permission would have to be obtained from them; therefore, unlikely. As to the Rock Road West/Corsalo intersection, a traffic study is needed and has been requested. It's a shot but a STOP is not likely to happen. Speed humps could be done and would be quicker. Mr. Beaumont inquired about the HART study that was done previously concerning volume. A file copy is to be located. Also relayed was that a neighbor had recently filed a complaint with Captain Bartzak as her son was almost hit by a car. The concern again is to protect families and deal with a bad intersection. The HART study will be reviewed to see what is included and steps and pre-requisites for approval of the requested action will be researched by the mayor.

Mr. Beaumont also inquired about the list for possible foreclosure action. Attorney Faherty relayed that he has received the list but has not had the time to review.

In addition to the foregoing, Mr. Beaumont advised on the matter of the State's table of Equalized Valuation due out in October, noting that the Township is now at 104% which should result in a reduction in the Township's portion of the tax burden for both the school and County.

A question about the 5 man Committee and accompanying salary was raised. No action can be taken until January.

Mr. Beaumont left the meeting at 8:06 p.m.

Closed Session Resolution – (held from earlier in the evening)

RESOLUTION #138-2016

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:
LITIGATION – WAT vs James Vernor et al
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.

Bergenfeld motioned to approve the Resolution. Motion seconded by Dale and carried unanimously.

The Committee entered Closed Session at 8:07 p.m., and returned to Open Session at 9:45 p.m.

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 9:47 p.m. on motion from Dale.

Respectfully submitted,

Lora Olsen, RMC
Township Clerk

APPROVED: October 6, 2016