

WEST AMWELL TOWNSHIP COMMITTEE MEETING

November 2, 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 7:35 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 Stan Prater of JCP&L, Ed DiFiglia of the Stony Brook-Millstone Watershed, Cathy Urbanski, Tom Carro (8:00 a.m.) and Gary Hoyer (8:04 p.m.)

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

Mayor Rich led the gathering in the pledge of the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

The following items were added: 10.B 4) Police Contract (possible closed session); 5) Demo project; 10.D. Special Planner contract. *Additions unanimously approved on motion by Dale, seconded by Bergenfeld*

ANNOUNCEMENTS

The following announcements were read into the record by the mayor.

- Day Light Saving Time Ends, November 6th, 2 a.m. - Clocks back 1 hr.
- West Amwell School 6th Grade Clothing Drive, November 7th-10th
- Election Day is Tuesday, November 8th, Polls open 6 a.m. to 8 p.m.
- Municipal Offices Closed Friday, November 11th for Veterans Day
- Hunterdon County Hazardous Waste Day, November 12th, 9 a.m. to 1 p.m.
Route 12 County Complex
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

PRESENTATION OF MINUTES

The October 19, 2016 Regular and Closed Session minutes were unanimously approved on motion from Bergenfeld, seconded by Dale.

OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA

Stan Prater of JCP&L came forward by way of introduction as he taking over for Mr. Anderson while the latter is on the reliability project. Mr. Prater stated that he's been with JCP&L for 32 years, starting in 1984 as a meter reader and working up through the management and supervisory ranks. If the Township needs assistance, he's the person to contact...24/7. An expression of appreciation was extended to Mr. Prater for his attendance this evening. Mr. Prater subsequently left the meeting.

Cathy Urbanski expressed her appreciation to the mayor for the rapid solution to the issue between Princeton Hydro and ONYX workers, as the latter was trampling the environmental project also in progress. The mayor relayed that ONYX will pay to rectify the damage.

As there was no other person wishing to speak, this portion of the meeting was closed.

SPECIAL PRESENTATION(S)

None

INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING

Public Hearing: Ordinance 12, 2016 AN ORDINANCE REPLACING CHAPTER 138 OF THE CODE OF THE TOWNSHIP OF WEST AMWELL, HUNTERDON COUNTY, NEW JERSEY – Soil Management and Removal

Proof of publication in the October 13, 2016 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the October 5, 2016 Township Committee meeting. Mayor Rich read the Ordinance by title and opened the public hearing.

Ed DiFaglia, a municipal policy specialist with the Stony Brook-Millstone Watershed, came forward in support of the ordinance, noting the importance of conservation.

Mrs. Urbanski advised that she was here to defend the ordinance and expressed appreciation for the Watershed's support. She noted that the original ordinance was adopted in 2006 and that Township/Planning Board Engineer Burr had problems with the ordinance during the JCP&L substation expansion and the issue of contaminated soil. She relayed that the Planning Board has made this a better ordinance.

Hearing no further comments, the public hearing was closed.

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

Public Hearing: Ordinance 13, 2016 AN ORDINANCE AMENDNG AND SUPPLEMENTING CHAPTER 109, "LAND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF WEST AMWELL TO AMEND PERMITTED USES OR NONRESIDENTIAL ZONING DISTRICTS

Proof of publication in the October 13, 2016 issue of the Hunterdon County Democrat was presented. The ordinance has been posted and available to the public since its introduction at the October 5, 2016 Township Committee meeting and mailed to surrounding municipalities and the Hunterdon County Planning Board. The Ordinance has been reviewed by the Planning Board, found consistent with the Master Plan and adoption recommended. Mr. Rich read the Ordinance by title and opened the public hearing.

Mr. Bergenfeld questioned whether this was changing zoning. He was advised that the purpose is to reflect prevailing conditions of houses in the HC Zone.

Hearing no further comments, the public hearing was closed.

The Ordinance was unanimously approved on motion by Rich, seconded by Bergenfeld.

STANDING COMMITTEE REPORTS

Open Space – No report

UNFINISHED BUSINESS

Possible Appointments – None

Updates – 1) Attorney Faherty advised that this project is moving along as the title company now has everything to make a determination on **Block 46 Lots 5, 6, 7**. Also noted was that Lot 7 is comprised of three old Lambertville Land Association pieces which were the subject of two foreclosure actions with a final judgement from superior court giving West Amwell good title. 2) **Construction Clearance/Form** was held. 3) **Board of Health Membership/Options** were relayed by Attorney Faherty. This Board can have up to 7 members with two alternates. There is no requirement for a township committee member be seated. The consensus of the governing body was to have the Board of Health comprise all members of the Township Committee, together with the current resident seats, plus two alternates. A new ordinance will be prepared for introduction at the next meeting. 4) The **police contract** has been received although Attorney Faherty noted a problem with the numbering. He also mentioned the longevity provision and that he is still in the review process. 5) The contract for the **demo project** on Route 31 has been signed by the mayor and will be forwarded to the contractor. The permit has been issued. Mr. Helewa was contacted concerning the well test results but there's been no further word as to where he is in the process.

Closed Session – The determination was made that this was not needed.

Special Planner Contract – The appointment of a special planner for the Vernor litigation was approved at the last meeting. The contract was presented.

The mayor was unanimously authorized to execute the contract on motion by Dale, seconded by Bergenfeld.

NEW BUSINESS

Professional Services for 2017 – A listing of the current professionals was presented. A determination will be made at the next meeting as to direction.

Shared Service with East Amwell for Traffic Enforcement, Possible Changes for 2017 –

This contract expires at the end of the year. Information concerning the existing contract was provided. Mrs. Olsen was requested to reach out to Mr. Matheny to inquire about changes.

Personnel Policy Manual - Held

OPEN TO THE PUBLIC

No one came forward.

ADMINISTRATIVE REPORTS

Treasurer –

- *Resolutions:* The CFO has advised of the need to supplement the Legal OE line and has signed the required statement required to be submitted to the State for an **emergency** appropriation. Given the political situation, Mr. Rich inquired whether the needed funds could be transferred from other accounts. CFO Carro advised that there's no place to take the \$60,000 estimated to be needed to pay legal bills through the end of the year. The account is already \$23,000 over the budget appropriation. Information showing the 2016 legal budget line, with estimated November-December bills was presented. Mr. Carro relayed that if the entire amount is not needed, it can be cancelled at the end of the year and returned to surplus. Mr. Carro also noted that the emergency will save for other needed fund transfers to cover such things as police contract retro. On a positive note, Mr. Carro offered that construction revenues are up \$50,000 and there will be money coming in from Added/Omitted assessor billing. The surplus is OK. The current issue is a cash problem; therefore, no more can be spent. Mr. Rich offered that the Township will break even this year but that next year will involve 'battening the hatches.' Police OT will have to be watched and he anticipates a construction revenue dip. The mayor requested that copy of the Lanza, Cushing and Vicinage bills, with a breakdown, be provided to him.

RESOLUTION #146-2016

(Attached to original copy of these minutes.)

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

RESOLUTION #147-2016

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; \$3142.50 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
<u>TRISTA BOND</u> Northfield Bank, Account Escrow ID: <u>#85029438</u>	<u>\$254.12</u>

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

- *Bill Approval:* Held

Website Review – Not addressed

CORRESPONDENCE

The correspondence as listed on the Agenda was ordered filed.

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ADJOURNMENT

There being no further business, the meeting was unanimously adjourned at 8:12 p.m. on motion from Bergenfeld.

Respectfully submitted,

Lora Olsen, RMC
Township Clerk

APPROVED: November 16, 2016