

WEST AMWELL TOWNSHIP COMMITTEE MEETING

April 3, 2024

Regular Meeting – 7:30 PM

CALL TO ORDER AND STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

The regularly scheduled meeting of the West Amwell Township Committee was called to order at 7:30 PM. Present were Mayor James Cally, Deputy Mayor Gary Hoyer, Committee Members Stephen Bergenfeld, Meghan Hudson and Bob Balaam along with Township Clerk Maria Andrews and Township Attorney Mark Peck.

Mayor Cally announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was faxed to the Hunterdon County Democrat and Trenton Times on January 11, 2024, was posted on the bulletin board in the Municipal Building on that 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 Township Clerk.

FLAG SALUTE

Mayor Cally led those in attendance in the pledge to the nation's flag.

AGENDA REVIEW BY TOWNSHIP CLERK

Clerk Andrews noted there were no changes to the posted agenda.

ANNOUNCEMENTS

The following announcements were made:

- Kindly Turn Cell Phones Off During the Meeting

PRESENTATION OF MINUTES

A motion by Balaam, seconded by Bergenfeld to approve the Committee's 3/20/24 regular and closed session minutes with no revisions noted was unanimously approved by voice vote.

OPEN TO THE PUBLIC/TOPICS NOT ON THE AGENDA

Mayor Cally opened the floor to public comment. Seeing no members of the public who wished to speak, Mayor Cally closed the floor to public comment.

SPECIAL PRESENTATIONS

Reports by Department Heads

Fire Chief Jeff Ent provided a brief year end update noting there were 187 alerts and 1188 manhours spent on departmental drills and training last year. This year they are up to 54 calls.

Chief Ent asked for follow up on the letter to the Board of Public Utilities (BPU) that prior Township Attorney William Pandos indicated he had sent. Chief Ent requested a copy but to date, has not received anything. Clerk Andrews noted she was never provided with a copy of the letter and stated she will follow up with Mr. Pandos. Attorney Peck commented that he can draft a letter if needed.

Next, Chief Ent inquired on the status of requested ordinances regarding knox boxes, bi-directional amplifiers (BPA's) and monitored fire alarms for new commercial businesses. Attorney Peck stated he will draft an ordinance to address the items and coordinate with the Fire Official on the matter.

Lastly, Chief Ent asked about utilizing the old OEM office in their building for storage. OEM Director Harry Heller spoke up from the public indicating he is still using the space for his own office supply storage but can move it to another part of the building if necessary. Mayor Cally commented that the DPW can assist with the move if needed.

OEM Director Heller provided a quick report noting the Emergency Management Plan must have updated annexes on cyberthreats and pandemic protocol. He also noted 42 homes in the Township are still currently without power from yesterday’s storm.

Open Space Chairman John Cronic stated he provided Mr. Sneddon (*Block 7 Lot 14.02*) with literature regarding preservation and also indicated Mr. Kiriluk is interested in preserving one of his properties along Route 202 (*Block 5 Lot 5*).

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

It was noted for the record that there were no ordinances listed on the agenda for action.

RESOLUTIONS

Resolution #42-2024: Rescind Salary Adjustment Given to Construction Office Manager G. Brewi

It was noted for the record that this Resolution was tabled.

Resolution #43-2024: Provide Salary Adjustment to Construction Office Manager G. Brewi

It was noted for the record that this Resolution was tabled.

Resolution #44-2024: Authorizing CY2024 Reserve Budget Transfers

RESOLUTION #44-2024
RESOLUTION AUTHORIZING CY2024 RESERVE BUDGET TRANSFERS

WHEREAS, there are certain CY2024 Reserve Budget Appropriations of the Township of West Amwell with balances insufficient to meet requirements for operating Township Affairs; and

WHEREAS, there are CY2024 Reserve Budget Appropriations with unexpected balances that are not needed for such purposes; and

WHEREAS, Statutes 40A:4-59 provides for transfers to those reserve accounts having insufficient balances during the first three months of the fiscal budget year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell that the following transfers are:

To		From	
Legal Services O/E	\$4,750.00	Gasoline O/E	\$5,400.00
Police Dept. O/E	\$ 550.00		
Streets & Roads O/E	\$ 100.00		
Total	\$5,400.00	Total	\$5,400.00

Certification

I, Maria Andrews, Township Clerk of the Township of West Amwell, County of Hunterdon, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Township Committee on April 3, 2024.

Maria Andrews, Township Clerk, RMC

A motion by Bergenfeld, seconded by Balaam to approve Resolution #44-2024 was unanimously approved by roll call vote.

Balaam: Yes, Bergenfeld: Yes, Hoyer: Yes, Hudson: Yes, Cally: Yes

Resolution #45-2024: Amending Salary & Wage Resolution (#65-2023) to Include Land Use Board Position

RESOLUTION #45-2024

Amending Resolution #65-2023

BE IT RESOLVED by the Committee of the Township of West Amwell that the 2023 Salary & Wage Resolution, approved July 19, 2023 be amended as follows:

Position	Salary & Compensation
<u>Delete:</u>	
Planning Board Secretary	\$18,048.23
Zoning Board Secretary	\$ 8610.49
 <u>Add:</u>	
Land Use Board Secretary	\$22,048.23
(Pro-rated from 1/1/24)	

Certification

I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at a regular meeting held April 3, 2024.

Maria Andrews, Township Clerk, RMC

A motion by Hoyer, seconded by Bergenfeld to approve Resolution #45-2024 was unanimously approved by roll call vote.

Balaam: Yes, Bergenfeld: Yes, Hoyer: Yes, Hudson: Yes, Cally: Yes

Resolution #46-2024: Authorizing Emergency Temporary Appropriations

RESOLUTION #46-2024
RESOLUTION OF EMERGENCY TEMPORARY APPROPRIATION

WHEREAS, the Township is expected to make payments prior to the adoption of the 2024 budget and no provision has been made in the 2023 temporary budget, adopted on the 3rd day of January 2024 for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolutions adopted in 2024 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$996,200.00; and

NOW, THEREFORE, BE IT RESOLVED, that on this 3rd day of April 2024 it is by the Township Committee of the Township of West Amwell, County of Hunterdon, in the State of New Jersey that in accordance with the provisions of N.J.S.A. 40A:4-20: Emergency temporary appropriations be and the same are hereby made in the amount of \$184,600.00 as follows:

General Administration	S/W	300.00
General Administration	O/E	5,000.00
Mayor & Council	S/W	150.00
Municipal Clerk	S/W	6,000.00
Municipal Clerk	O/E	2,500.00
Financial Administration	S/W	6,000.00
Financial Administration	O/E	3,000.00

Auditing Services	O/E	13,000.00
Revenue Administration	S/W	2,000.00
Revenue Administration	O/E	1,500.00
Tax Assessment	S/W	1,600.00
Legal Services	O/E	10,000.00
Land Use Administration	S/W	1,500.00
Land Use Administration	O/E	2,000.00
Zoning Board	S/W	2,000.00
Zoning Board	O/E	1,000.00
Housing	S/W	800.00
Code Enforcement	S/W	13,000.00
Code Enforcement	O/E	5,000.00
Employee Group Ins.	O/E	11,000.00
Police Dept.	S/W	56,000.00
Office of Emerg. Mgmt	O/E	250.00
Fire Bureau	S/W	800.00
Prosecutor	O/E	5,000.00
Streets & Roads	S/W	6,000.00
Solid Waste	S/W	2,000.00
Solid Waste	O/E	3,000.00
Buildings & Grounds	S/W	3,000.00
Animal Control	O/E	4,000.00
Public Health	S/W	200.00
Social Security	S/W	10,000.00
Municipal Court	S/W	7,000.00
		184,600.00

I hereby certify the foregoing to be a true copy of a Resolution adopted by the West Amwell Township Committee at a regular meeting held April 3, 2024.

Maria Andrews, Township Clerk, RMC

A motion by Bergenfeld, seconded by Hudson to approve Resolution #46-2024 was unanimously approved by roll call vote.
Balaam: Yes, Bergenfeld: Yes, Hoyer: Yes, Hudson: Yes, Cally: Yes

Minutes: 4/3/24

NEW BUSINESS/OTHER

Discussion: New Fire Pumper Truck Quote for West Amwell Fire Company

Present for the discussion was Fire Chief Jeff Ent and Assistant Chief Paul Hunt. Chief Ent noted the referendum for the new fire truck passed last year and he wanted to know when the Committee was going to move forward.

Committeeman Bergenfeld commented that Pierce is considered the “Rolls Royce” of trucks and asked if any other quotes were sought. Chief Ent said they have always dealt with Pierce and did not seek any other quotes. He also asked about the repairs still needed for the old truck Committeeman Bergenfeld had inspected. Chief Ent reminded the Committee that the old truck must be kept operational while the new truck is being built.

It was noted for the record that the Committee authorized repairs on the old fire truck up to \$10,000 and noted if the estimate is higher, Chief Ent must come back to the Committee for approval of the expenses.

Lastly, Chief Ent mentioned he had applied for and received confirmation of grant funding in the amount of \$179,000 which will cover the costs of replacing some necessary equipment for the department.

Mayor Cally asked if Verizon had ever sent the \$5000 donation to the Fire Company they promised. Chief Ent said he has not seen anything.

Informational: West Amwell Elementary School 50/50 Raffle 5/10/24

The Committee acknowledged the 50/50 raffle scheduled for 5/10/24 at the elementary school.

Discussion: Junk Email

Mayor Cally reminded everyone to check their regular and junk email folders daily because he is finding emails getting hung up in the junk folder on his township email account.

UNFINISHED BUSINESS

It was noted for the record that there were no unfinished business matters listed on the agenda.

STANDING COMMITTEE REPORTS

- A. Open Space: No report given.
- B. Environmental: No report given.
- C. Ag Advisory: No report given.
- D. Finance Committee: No report given.

ADMINISTRATIVE

A motion was made by Hudson and seconded by Balaam approving the 3/25/24 and 4/2/24 bill lists. The motion was unanimously approved by roll call vote.

Balaam: Yes, Bergenfeld: Yes, Hoyer: Yes, Hudson: Yes, Cally: Yes

OPEN TO THE PUBLIC

A motion by Hoyer, seconded by Hudson to open the floor to public comment was unanimously approved by voice vote.

Anthony Sabidussi of 122 Rock Road West commented that he called the County about the skunk odor coming from the GMNJ site and was told by the inspector who came out that he couldn't determine where it was coming from. He stated calling the County was a big waste of time. Mr. Sabidussi remarked the smell is still occurring and asked if the Committee could establish a time frame for it to be mitigated.

Deputy Mayor Hoyer remarked that he had asked random cyclists pedaling past the GMNJ site if they noticed any odor and they confirmed they did, in the vicinity of the GMNJ property. He indicated he will coordinate with the Township Engineer and Construction Official on the matter.

Minutes: 4/3/24

Mr. Sabidussi commented that if GMNJ isn't complying with their conditions of approval their TCO should be pulled and not extended.

Kim Brown of 36 Lakeview Road agreed with Mr. Sabidussi regarding the TCO for GMNJ.

Deputy Mayor Hoyer commented that he is working on establishing a volunteer resident who will keep track of all odor complaints regarding the GMNJ property, maintaining a log and acting as a community advocate.

Linda Meier of 228 Rock Road West commented the first odor complaint was made on 1/30/24 and stated it has been 2 months with no corrective action. She stated she doesn't know why all of this depends on other people, noting the Committee has the power to stop it. She asked how long they are going to let it continue. Committeeman Bergenfeld interrupted Ms. Meier and strongly stated that the Committee is not going to shut a business down who is trying to be compliant.

Kim Brown of 36 Lakeview Road remarked that the residents want a timeframe for the odor issue to be rectified and stated the Committee is within its powers to do so.

Seeing no other members of the public who wished to speak, a motion was made by Hoyer and seconded by Balaam to close the floor to public comment. The motion was unanimously approved by voice vote.

Committeewoman Hudson commended the DPW on the tree removal work they did at Hewitt Park.

OTHER

Resolution #47-2024: Closed Session – Personnel/Contracts – Litigation/Affordable Housing and Matters Falling Under Attorney Client Privilege

A motion was made by Cally and seconded by Bergenfeld to approve Resolution #47-2024 and enter into closed session. The motion was unanimously approved by voice vote.

Resolution #47-2024

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 the expected 30 minute 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/Contracts – Litigation/Affordable Housing and matters falling under attorney client privilege. Action may be taken.
3. As nearly as can be ascertained, the matter or matters to be discussed during this closed session will be disclosed to the public when such matters are resolved.
4. This resolution shall take effect immediately.

Maria Andrews, Township Clerk, RMC

It was noted for the record that the Committee was in closed session from 8:47 PM – 9:16 PM.

Upon returning to Open Session the following action was taken:

A motion was made by Bergenfeld and seconded by Cally to authorize Attorney Peck to draft an amended park ordinance. The motion was unanimously approved by roll call vote.

Minutes: 4/3/24

Balaam: Yes, Bergenfeld: Yes, Hoyer: Yes, Hudson: Yes, Cally: Yes

Committeeman Bergenfeld updated the Committee on the inlet repair project noting he and DPW Supervisor Gabel met with the contractors from Russling and they will do the job. He noted Mr. Gabel inadvertently forgot to add the cost of the lids, so the plan is for the additional \$30,000 expense to be taken out of the Public Works budget in increments, annually until it's covered.

ADJOURNMENT

A motion by Bergenfeld, seconded by Balaam to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 9:27 PM.

Maria Andrews, Township Clerk, RMC

Approved: 4/17/24