

The regular meeting of the East Amwell Township Committee was called to order at 7:30 p.m. Present were Mayor Tim Mathews, Deputy Mayor Richard Wolfe, and Committee members David Wang-Iverson and Peter Miller. Committee member Kevin Ostrander was absent. Attorney Carl Taylor was also in attendance.

In compliance with the Open Public Meetings Act, Municipal Clerk Teresa R. Stahl announced that this is a regularly scheduled meeting, pursuant to the resolution adopted on January 2, 2018, with a meeting notice published in the Hunterdon County Democrat issue of January 11, 2018. A copy of the agenda for this meeting was forwarded to the Hunterdon County Democrat, Times of Trenton, Star Ledger, Courier News, posted on the bulletin board, and filed in the Clerk's Office on May 8, 2018.

The meeting opened with the Pledge of Allegiance to the American Flag.

## **AGENDA REVIEW**

One item of correspondence was added, a 4/13 letter from Andrea Bonette re: Township Committee meetings.

During the executive session, the Clerk's request for compensation for additional hours in Planning Board and Board of Health during absence of personnel will be added.

Deputy Mayor Wolfe said that a group of East Amwell members met with the State Agriculture Development Committee, which is the body that provides money and grants for farmland preservation. He mentioned having a fair amount of grant money available now, and East Amwell made a full court press for funding for East Amwell unpreserved farms. He believed that the meeting went very well.

Deputy Mayor Wolfe said that the Mayor of Clinton made a challenge to other Hunterdon County municipalities to field teams for a half marathon on October 7, 2018, starting in Clinton and finishing in Flemington for a total of 13.1 miles. The Deputy Mayor said that East Amwell has a team of three members so far, the Deputy Mayor, Assessor Marianne Busher, and Planning Board Attorney Chris Norman, but the Deputy Mayor would like to have more people on the team. He said if anyone knows anyone who is a long distance runner for the East Amwell team, have them contact him and he'll get information.

Deputy Mayor Wolfe said that the Township Committee spoke about Landis Burial grounds at the last meeting. The matter was being held up because of title search issues, and he is sorting it out. A title search will be done, and the Township will ask the court to transfer the title to them. An easement will be sought from a landowner to get from Kirkpatrick Church to the burial ground, and volunteers will be asked to clear the property to make it easily accessible. Deputy Mayor Wolfe said that they are back in motion, moving at close to full speed, and he expected to have something positive in the next few months.

## **ANNOUNCEMENTS**

Plant Exchange at Clawson Park Pavilion on Saturday, May 19, from 9 a.m. – 11 a.m. – Contact [lsschuyler@aol.com](mailto:lsschuyler@aol.com) for further information.

The newly created Webpage and Resident Communication Committee will hold its first meeting on May 24, 2018, at 7:30 p.m.

## **UPDATE FROM THE CFO**

### **RECEIPT OF 2017 AUDIT**

1) Corrective Action Plan: Ms. Pasqua said that there was a comment from the auditor regarding certification of funds for professionals. There are always certifications prepared for

contracts with high bid thresholds, but historically haven't been done for professionals, such as the engineer or attorney. This will be corrected going forth.

Bob Swisher, Auditor from Supple and Clooney, was present at this time. He explained that the audit is not one for operations but done to determine if finances are compliant with regulations. One area to address brought to the auditors attention was making sure that there was a certification of funds available prior to awarding contracts. Mr. Swisher explained that they do the audit on a test basis with different things tested each year. He said that the certification of funds issue is a common finding in smaller towns with the towns knowing that the money is there. He added that there were issues in some towns where orders were placed on their own without certifying and knowing that funds were available.

Mr. Wang-Iverson asked if the entire contract amount had to be in the temporary budget; Mr. Swisher said that funds were contingent on the approval of the budget and full funding might not be in the temporary budget. Mayor Mathews asked about annual contracts with professionals each year. Mr. Swisher said that the certification of funds could be based on a flat fee for so many hours spent by an engineer, architect, attorney, etc., and this was tricky with either a fee for the whole year or a project. The Township could certify a set amount, e.g., \$25,000, and if more is needed, amend the amount certified. Mr. Swisher commented on the corrective action plan by the CFO, adding that from June 2018 and forward, the auditors would be looking for the CAFs.

Mr. Swisher continued to comment on the audit, saying that the Township was in good financial shape with surplus up from the previous year. He again stated that the auditors do not do operational audits but they sometimes mention items of consideration. As an example, he said that the CFO now can go on line to see if IRS and NJ taxes are paid through the payroll service. He mentioned that some non-reputable payroll companies take the tax money, invest it, and pay taxes later. East Amwell can go onto a website to make sure that its employees' taxes are paid regularly. Deputy Mayor Wolfe asked if payroll companies were bonded. Mr. Swisher said that they were, adding that one payroll company, mentioning a specific name, was given power of attorney and were delinquent in payments – this affected 70 towns and boards of education because no one was paying attention. Mr. Swisher mentioned that Primepoint and ADP were very reputable companies, and checking the website to make sure that taxes are paid is important. Ms. Pasqua said she has been able to get on the IRS site, but the state site is more difficult. Mr. Swisher said that it is not necessary to check each month but to do so periodically.

Mayor Mathews asked if in the scope asked if the auditors reviewed grants and the flow of money. Mr. Swisher said yes and no; grants are part of the financial statement and are reviewed to see if grant funds are spent. If money is not received, this might be an item that would come up during the exit interview with the CFO, and it would be discussed the next year. The Committee thanked Mr. Swisher for attending the meeting.

The correction plan for "written certification of availability of funds be obtained prior to awarding professional service contracts that are in excess of the bid threshold" will be addressed by this action: Prior to awarding any professional services contract, the CFO will be notified and a certification of availability of funds (CAF) will be requested. In addition, the recent hiring of a QPA will significantly decrease the number of CAFs required with the higher bid threshold. CAFs have been completed for all 2018 professional services contracts awarded.

Motion to accept the corrective action plan by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously.

RESOLUTION OF RECEIPT OF AUDIT

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**RESOLUTION #67-18**

WHEREAS, NJSA 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the annual Report of the Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Township of East Amwell as

per the requirements of NJSA 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of the Audit, and specifically the sections of the annual audit entitled Recommendations, as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body, who after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, of both, in addition shall forfeit his office.”

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of East Amwell, County of Hunterdon, State of New Jersey, hereby states that it has complied with N.J.A.C 5:30-6.5 and does hereby submit a certified copy of this resolution and required affidavit to said Board to show evidence of said compliance.

By Order of the Township Committee,

\_\_\_\_\_  
Tim Mathews, Mayor

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Motion by Mr. Miller, seconded by Mr. Wang-Iverson, and carried unanimously to approve the resolution and sign the certification.

The Municipal Court Audit was noted for filing.

**PUBLIC HEARING AND ADOPTION OF THE 2018 BUDGET**

As proof of publication, the budget summary, as published in the April 19, 2018, issue of the Hunterdon County Democrat was provided by the Clerk. The budget was on the website and available to the public since introduction.

Motion by Deputy Mayor Wolfe, seconded by Mr. Miller, and carried unanimously to open to the public for comments on the budget. There being none, motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to close to the public.

Mayor Mathews said that he was very pleased with the work on the budget, and he thanked Ms. Pasqua for all her work. He said that the Township Committee was able to reduce appropriations and provide a small tax reduction to the residents while leaving appropriate funding for the town. He said that overall, it was a good budget.

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**RESOLUTION #68-18**

**BUDGET RESOLUTION**  
As Attached to this set of minutes

By Order of the Township of East Amwell,

\_\_\_\_\_  
Tim Mathews, Mayor

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Motion by Mr. Miller and seconded by Deputy Mayor Wolfe to adopt the budget resolution.

Mayor Mathews had a statement from Mr. Ostrander, which he read into the record: "I am very supportive of this year's Township budget and would like to thank my fellow TC members for their hard work and diligence over numerous review cycles in an attempt to lower resident's taxes. Not only was this achieved, but the much needed capital budget was increased as well to support road maintenance and durable equipment purchases for DPW. This was a bipartisan effort that was openly communicated to the residents during the TC meetings. A special thanks to the CFO as well for her continued efforts. I hope this budget process represents the new norm for the township moving forward. Thanks to all."

A unanimous roll call vote was taken: Mr. Wang-Iverson, yes; Mr. Wolfe, yes; Mr. Miller, yes; Mr. Mathews, yes.

**ADDITIONAL CFO/TREASURER RESOLUTIONS**

1) Change Order #1 – Phase 5 Clawson House – Unlimited Builders: Ms. Pasqua said that she was able to certify funds for the increased scope of work.

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**RESOLUTION # 69-18**

**CHANGE ORDER #1 RESOLUTION FOR CLAWSON HOUSE**  
**Unlimited Builders Construction LLC**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby authorize the following change order of \$5,150 to the original contract awarded on October 26, 2017 to Unlimited Builders construction LLC, P. O. Box 9029, Hamilton, NJ 08650 in the amount of \$94,6000 for Clawson House:

- Demolish 2 Existing Closets
- Install 2 new ceiling beams in the kitchen
- Install 2 new pocket doors
- Install plywood sheathing to the interior walls in 1 room and 2 hallways
- Install chair rail molding in nursery and back parlor rooms
- Install new basement door

Total Cost: \$5,150.00

By Order of the Township Committee,

\_\_\_\_\_  
Tim Mathews, Mayor

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Motion by Mr. Wang-Iverson, seconded by Deputy Mayor Wolfe, and carried unanimously to approve the resolution.

2) Cancellation of Unexpended Balances:

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**RESOLUTION #70-18**

WHEREAS, certain Escrow Accounts are no longer active or valid;

WHEREAS, it is necessary to formally cancel said balances:

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of East Amwell, County of Hunterdon, State of New Jersey, that the following unexpended balances be cancelled:

	Amount
#7763567369 The Ridge at Back Brook	\$224.33

By Order of the Township Committee,

\_\_\_\_\_  
Tim Mathews, Mayor

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Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to approve the resolution.

**PUBLIC HEARING:**

**ORDINANCE 18-06 2018 SALARY AND WAGE ORDINANCE**

As proof of publication, the Clerk provided the legal notice from the April 19, 2018, issue of the Hunterdon County Democrat. The ordinance was posted and available to the public since introduction at the April 12, 2018, Township Committee meeting.

Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to open to the public for comments. There being no comments, motion by Mr. Miller, seconded by Deputy Mayor and carried unanimously to close to the public.

Motion by Mr. Wang-Iverson, seconded by Mr. Miller, and carried unanimously to adopt Ordinance 18-06: Mr. Wang-Iverson, yes; Mr. Wolfe, yes; Mr. Miller, yes; Mr. Mathews, yes.

Adoption of the 2018 Salary and Wage Resolution

This resolution provides the annual salary for each employee.

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**RESOLUTION #71 -18**

**2018 Salary and Wage Resolution**  
As Attached to the Official Minutes

By Order of the Township Committee,

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Tim Mathews, Mayor

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Motion by Mr. Wang-Iverson, seconded by Mr. Miller, and carried unanimously to approve the 2018 Salary and Wage Resolution.

**INTRODUCTION OF ORDINANCES**

**ORDINANCE 18-11 AN AMENDMENT TO THE 2018 SALARY AND WAGE ORDINANCE FOR MUNICIPAL COURT STAFF**

This ordinance is to address the salary for the new Court Administrator to allow her to collect salary from one municipality for her pension contribution.

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**ORDINANCE 18-11  
EAST AMWELL TOWNSHIP  
The 2018 Salary and Wage Schedule**

BE IT ORDAINED by the Township of East Amwell, County of Hunterdon, State of New Jersey, as follows:

SECTION ONE: The following shall be the rate and ranges of compensation for the officials and employees of the Township for the year 2018.

**SALARIED**

Court Administrative Officer	\$27,000-\$52,000
Court Administrative Officer – Additional Franklin Court Allocation per Contract	\$ 5,000-9,000

By Order of the Township Committee,

\_\_\_\_\_  
Tim Mathews, Mayor

Attest: \_\_\_\_\_  
Teresa R. Stahl, RMC/CMC  
Municipal Clerk

Introduced:  
Adopted:

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Motion by Mr. Miller and seconded by Deputy Mayor Wolfe to introduce this ordinance.

Mr. Wang-Iverson explained the change in pension rules that an employee can only collect pension from the salary from one source. Historically, the current court administrator was paid by three different towns towards her pension contribution. When Ms. Hooven retires and Jennifer Budrewicz begins, she will have to be paid entirely by East Amwell for pension purposes, which necessitated this ordinance. The other municipalities will contribute salary to East Amwell as the lead.

The motion to introduce Ordinance 18-11 was approved unanimously.

The ordinance will be published in the May 17, 2018 issue of the Hunterdon County Democrat, and the public hearing is set for the June 14, 2018, regular Township Committee meeting at 7:30 p.m.

ORDINANCE 18-12      AN ORDINANCE OF THE TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY APPROPRIATING THE SUM OF \$60,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A UTILITY TRUCK WITH SNOW PLOW, LIFT GATE, AND LADDER RACK

Mayor Mathews said that this ordinance will allow the DPW staff to replace a truck, which they desperately need.

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Ordinance# 18-12

AN ORDINANCE OF THE TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY APPROPRIATING THE SUM OF \$60,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF A UTILITY TRUCK WITH SNOW PLOW, LIFT GATE AND LADDER RACK

Section 1. The sum of Sixty Thousand Dollars (\$60,000) presently in the Capital Improvement Fund is hereby appropriated for the purchase of a utility truck with snow plow, lift gate and ladder rack for the Public Works Department.

Section 2. In connection with the amount authorized in Section 1 hereof, the Township makes the following determinations:

- (a) The purchase described in Section 1 hereof is not a Current Expense and is an improvement which the Township of East Amwell may lawfully make as a general improvement.
- (b) The period of usefulness of the purchase described in Section 1 as listed in NJSA 40:A2-22 (Periods of Usefulness) for which obligations may be issued is 5 years.

Section 3. This ordinance shall take effect 10 days after final publication according to law.

By Order of the Township Committee,

\_\_\_\_\_  
Timothy Mathews, Mayor

Attest: \_\_\_\_\_  
Teresa R. Stahl, RMC/CMC  
Municipal Clerk

Introduced:  
Adopted:

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Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to introduce Ordinance 18-12.

The ordinance will be published in the May 17, 2018 issue of the Hunterdon County Democrat, and the public hearing is set for the June 14, 2018, regular Township Committee meeting at 7:30 p.m.

BOND ORDINANCE 18-13

Mayor Mathews said that the Township would be undertaking a major rebuild of Ridge Road, and the intent is to go out to bid for both parts of the road at the same time with a lot of grant money from NJ DOT being utilized.

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**TOWNSHIP OF EAST AMWELL  
BOND ORDINANCE NUMBER 18-13**

**BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO RIDGE ROAD (PHASE II), BY AND IN THE TOWNSHIP OF EAST AMWELL, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY; APPROPRIATING \$270,000 THEREFOR (INCLUDING A GRANT EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$220,000) AND AUTHORIZING THE ISSUANCE OF \$220,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EAST AMWELL, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

**SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of East Amwell, in the County of Hunterdon, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$270,000, which sum includes a grant expected to be received in the amount of \$220,000 from the New Jersey Department of Transportation (the "Grant"), and \$50,000 as the amount of down payment for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$270,000 appropriation not provided for by application hereunder of said down payment, and until the Grant is received, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$220,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$220,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**SECTION 3.** (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued are improvements to Ridge Road (Phase II), which improvements shall include, but shall not be limited to, as applicable, excavation, milling, paving, reconstruction and boxing out and resurfacing or full depth pavement replacement, and where necessary, the sealing of roadway and/or pavement joints and cracks, resetting utility castings, curb and sidewalk reconstruction, drainage improvements, retaining walls, curb and sidewalk reconstruction, roadway painting, and landscaping and aesthetic improvements; and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) Until the Grant is received, the estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$220,000.

(c) The estimated cost of said improvements or purposes is \$270,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, and until

the Grant is received, is comprised of the down payment in the amount of \$50,000 for said improvements or purposes.

**SECTION 4.** In the event the United States of America, the State of New Jersey, the County of Hunterdon and/or a private entity make a contribution or grant in aid to the Township, including the Grant, the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Hunterdon and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Hunterdon and/or a private entity, including the Grant, shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purposes. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The Capital Budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$220,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$48,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

**SECTION 8.** The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

**SECTION 10.** The Township Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Township Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 11.** The Township covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

By Order of the Township Committee,

\_\_\_\_\_  
Tim Mathews, Mayor

Attest: \_\_\_\_\_  
Teresa R. Stahl, RMC/CMC  
Municipal Clerk

Introduced:  
Adopted:

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Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously by roll call vote to introduce Ordinance 18-13: Mr. Wang-Iverson, yes; Mr. Wolfe, yes; Mr. Miller, yes; Mr. Mathews, yes.

The ordinance will be published in summary in the May 17, 2018, issue of the Hunterdon County Democrat, and the public hearing will be held at the June 14, 2018, Township Committee meeting at 7:30 p.m.

ORDINANCE 18- 14

Mayor Mathews said that the ordinance of \$50,000 for road repairs would allow the DPW to continue the process of road repairs.

AN ORDINANCE TO PROVIDE FOR THE LEVELING, SUBGRADE RECONSTRUCTION AND SURFACE TREATMENT OF VARIOUS TOWNSHIP ROADS AS GENERAL IMPROVEMENTS FOR THE TOWNSHIP OF EAST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND APPROPRIATING \$50,000,00 FROM CAPITAL IMPROVEMENT FUND.

Be it Ordained by the Township Committee of the Township of East Amwell in the County of Hunterdon, New Jersey, as follows:

Section 1. The improvement described in Section 2 of this ordinance is hereby authorized as general improvements to be made or acquired by the Township of East Amwell, New Jersey. For the said improvements or purposes described in Section 2, there is hereby appropriated the sum of \$50,000.00 said sum being inclusive of all appropriations heretofore made therefore.

Section 2. The Township of East Amwell is hereby authorized to provide the funding for the leveling, subgrade reconstruction and surface treatment of various Township roads and engineering costs.

Section 3. It is hereby determined and stated that the undertaking of the aforesaid work, acquisition, or improvements is not a current expense of the Township of East Amwell, but rather a Capital expense and the East Amwell Township's estimated cost of said work, acquisition or improvement is \$50,000.00.

Section 4. The sum of \$50,000.00 is hereby appropriated for said purpose. The funding is provided by appropriating \$50,000.00 from Capital Improvement Fund of the Township of East Amwell for said purpose as required by law and now available therefore in one or more previously adopted budgets.

Section 5. No debt of any kind is authorized for this undertaking.

Section 6. This ordinance shall take effect ten days after publication after final adoption.

By Order of the Township Committee,

\_\_\_\_\_  
Timothy Mathews, Mayor

Attest: \_\_\_\_\_  
Teresa R. Stahl, RMC/CMC  
Municipal Clerk

Introduced:

Adopted:

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Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to introduce Ordinance 18-14. The ordinance will be published in the May 17, 2018, issue of the Hunterdon County Democrat, and the public hearing is set for the June 14, 2018, Township Committee meeting at 7:30 p.m.

**SPECIAL DISCUSSIONS**

**INTERVIEW OF A CANDIDATE FOR A 2018 BOARD/COMMITTEE**

Christopher Jason Sobieski, 15 Danberry Drive, was interested in serving on the new Webpage and Resident Communications Committee. He has lived most of his entire life in East Amwell, is a student at Seton Hall Law School, and majored in History and minored in webpage design at Seton Hall. He wanted to use his talents to help and is available to participate.

Deputy Mayor Wolfe was happy that Mr. Sobieski volunteered, saying that his background is a great addition, and he thanked Mr. Sobieski for volunteering.

The first meeting of the committee will be on May 24 at 7:30 p.m.

## STANDING COMMITTEE REPORTS

### ADDITIONAL APPOINTMENTS TO BOARDS/COMMITTEES

Mayor Mathews said that he was officially appointing Chris Sobieski to the Webpage and Resident Communications Committee.

### ENVIRONMENTAL COMMISSION

1) Approval of Letter of Consent to Conduct Conservation Easement Visits: Frances Gavigan, a member of the Environmental Commission, was in the audience during this discussion. She mentioned that environmental easements have to be reviewed periodically, and the letter is to notify property owners that the inspections will be done over time and may not have been done in the past. Mayor Mathews spoke about issuing only one letter before the Commission members walk the property. Ms. Gavigan said that the letter was just to let the residents know and then outreach would be done. Mayor Mathews believed that there should be more opportunity for residents before members walk the property.

Mr. Wang-Iverson said that he understood that the inspections would be done if residents responded in writing, adding that the inspections are required. In the past, residents were asked to respond before the inspections were done. Deputy Mayor Wolfe said that some properties have deeds of easements, including easements on preserved farms and conservation easements (the latter as part of development agreements), and they must be inspected for compliance.

Mr. Miller commented on discussing the Environmental Commission's inspections a couple of years ago and how it would be handled if the inspectors found something. Ms. Gavigan mentioned the Zoning Officer would address the issues, adding that it was discussed about various ways to do inspections, e.g., the detention basin at The Ridge would be viewed aurally. The intent is to meet the obligations over time and get into the habit of inspecting.

Mayor Mathews asked if the residents would know when the inspections would be taking place, e.g., on a specific day and time. He referenced the procedure that he is aware of through forest management inspections on his property.

Ms. Gavigan mentioned obligations of the Environmental Commission, adding there was a recommendation at a Planning Board training that the Environmental Commission do these inspections and perform stormwater reviews. She did not believe the inspections will be unreasonable and outreach will be done, suggesting that perhaps phone numbers could be obtained to notify the property owners in advance. Mayor Mathews thought that it was important to let people know about the inspections; Ms. Gavigan spoke about having ID badges for the inspectors.

Mayor Mathews suggested holding off on the approval of the letter until the next meeting when the Environmental Commission can provide more information on the plan, including more information on identification and more outreach and the item would be on the next Township Committee agenda. Deputy Mayor Wolfe spoke about not doing the inspections in August and not in winter. He said that there was probably a lot to be done, so he would like to see these done sooner than later. Mayor Mathews agreed that action would be taken when the governing body had a little more detail.

The Clerk noted that there is a way for volunteers to get ID cards for the visits, as was done in the past with various committees.

It was noted that there should not be too many easements involved. Making sure that the residents were advised as to what to expect and when is important. Mayor Mathews asked that the process be tightened up for review at the next meeting.

2) Appointment of Gail Brewi from Probationary to Permanent Employee Status, Effective 4-13-18: Environmental Commission Chair Dee Kellogg provided a satisfactory recommendation to make this appointment. Mr. Wang-Iverson, as liaison to Environmental Commission, also commented on Ms. Brewi doing a good job.

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**RESOLUTION #72-18**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they here by move Gail Brewi from Probationary Employee to Permanent Employee Status based on the satisfactory recommendation from the Environmental Commission Chair.

By Order of the Township Committee,

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Tim Mathews, Mayor

+++++ Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to approve this resolution.

**APPROVAL OF MINUTES**

March 8, 2018, Regular Minutes were revised by Deputy Mayor Wolfe on page 7. Motion by seconded by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to approve the minutes as revised.

April 12, 2018, Regular Minutes were approved on a motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously. On a question from Mr. Wang-Iverson, the Clerk said that they were verbatim and took six full days to complete as such.

April 12, 2018, Executive Minutes were held for corrections to be made in executive session.

April 27, 2018, Special Minutes were approved on a motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously.

April 27, 2018, Executive Minutes (Personnel/Hiring) were approved on a motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously.

Deputy Mayor Wolfe said that there is a summary every month in the VIP, which is an article summarizing what took place at the Township Committee, and there are mistakes. He said that this month some of the mistakes were very disturbing. Tonight before this meeting there was a special meeting to walk Van Lieus Road. The VIP said that the meeting was to take place at 6:30 p.m. on May 5, and that was inaccurate. The VIP said that this meeting would take place on May 5, and that too was inaccurate; it is today, May 10. A gentleman was appointed to Farmland and Open Space Preservation Committee; his name is Tom Jarick, not Tom Jarab. There is a column in the VIP that says that the membership on the Recreation Committee was increased from 7 to 9 members, and that is not correct – it is 11 members. The only thing that seems to be accurate in this column on a regular basis is if somebody from the EADA comes in and says something personal about the Deputy Mayor, then the author of the VIP article gets it spot on perfect, but the things that really matter to the people of the township falls by the wayside. Deputy Mayor Wolfe also pointed out that there the number of typographical errors in the article was kind of alarming; he suggested that the author pay a little more attention to accuracy and a little less attention to making sure that it reflects personal attacks on the Deputy Mayor, the article would serve the residents a little bit better.

**OPEN TO THE PUBLIC** (for Comments from the Public for Items Not on the Agenda)

Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to open to the public.

Darlene Scheffmeyer, 167 Cider Mill Road, in Ringoes, said that her home was on the market to be sold, and she lost a sale because of the neighbor, who is Matt Wilkinson. He has a home business, as seen on Facebook, called Hard Cider Homestead. Mrs. Scheffmeyer said that she had a couple ready to buy her home, and the mother of the young lady looked at the website and when she checked it out at Hardcider Homestead, there were very graphic pictures of animal slaughter. Mrs. Scheffmeyer said that the neighbor has a trailer on the property that he rents out to people through Air B and B; there is electric and water with composting. The man also teaches classes on how to slaughter animals. Mrs. Scheffmeyer said that the couple backed out from buying her home, which she has owned for 32 years. Mrs. Scheffmeyer asked if it was legal for the property owner to allow someone to stay in the trailer for six months at a time.

Mrs. Scheffmeyer went to the Zoning Officer, Mr. McManus, to ask if it was legal to rent the trailer through Air B and B, with the trailer having electric hook up and water. There is a compost shower in the back of the trailer with a line to the septic tank. The only answer that Mr. McManus gave to her was an answer four times that he has been a lawyer for 45 years. Mrs. Scheffmeyer said that she spoke with the former Zoning Officer, and he was aware of the situation since he lives next door, and his response was "that's illegal – I'll have to talk with him." The former Zoning Officer resigned in December 2017.

Mrs. Scheffmeyer said that the reason she was here tonight is that she wants to sell her home; she did not know about the business next door, but it has graphic photos on the website, and she wants to know what the next steps would be.

Mr. Wang-Iverson said that the Hunterdon County Health Department might help. Mrs. Scheffmeyer said that she spoke with Dan at the County Health Department, but no one has gone over to the property. Mr. Wang-Iverson suggested that Mrs. Scheffmeyer speak with the Board of Health Secretary, Rosemary Georgett, and have this item put on the agenda for the next meeting. A comment was made about having a compost toilet and running a line from the shower to the septic, which may be illegal. Mrs. Scheffmeyer spoke about having a trenched area with a white septic "thing," asking how one would get water to a compost shower.

Deputy Mayor Wolfe said that there was a lot going through his head with the issues raised, i.e., a trailer, Air B and B, sanitation issues under the Board of Health, etc. He said that there are trailers for farmers that were grandfathered in, but he had no idea of what was on site was legal. He added that Mrs. Scheffmeyer should get answers to her questions, and they would follow up with the Zoning Officer, Mr. McManus. He agreed with having the Board of Health secretary put the sanitation issue on the Board's agenda.

Mrs. Scheffmeyer spoke about attending the May 9<sup>th</sup> meeting (Planning Board). Mrs. Scheffmeyer again stated that the property owner slaughters animals on his back driveway.

Deputy Mayor Wolfe said that he would follow up with Zoning Officer McManus.

Sue Posselt, 155 Cider Mill Road, said that when she was on the Board of Adjustment years ago, Mr. Wilkinson came to the Board of Adjustment for a variance. There is a file she set up in the Board office with every variance ever granted, and it could be found in the file. Mr. Wilkinson had come to the Board because his daughter was involved in 4H farming, and there was a variance for farming. Mrs. Scheffmeyer spoke about Hardcider Farm advertising it was a five-acre farm, which it is not; she was opposed to the original variance application, saying that is why the property owner is still angry with her.

Frances Gavigan, 123 Wertsville Road, said she was aware of the activities and issues with Mr. Wilkinson and suggested that the scope now is well beyond what was approved. She was looking at the website on line, saying that the shower is heated by manure. She mentioned that at the time he received a notice of violation on a Friday to get rid of his animals by Monday, and then he came in and the activity was supported. She said that over the years, things have gone a whole lot further and not for personal consumption, and it sounds like an abattoir.

Mayor Wolfe said that he and his wife were looking at purchasing a 50 acre farm on Cider Mill Road and walked it a few years ago when Richard Anderson was selling it. He commented on finding animal parts throughout the property, and by putting two and two together, believes that this lot may have been a repository for the slaughtered animal parts. Mrs. Scheffmeyer said that the person who does her lawn knows where to find animal innards by the end of the property line, adding that buzzards fly about.

Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to close to the public.

Deputy Mayor Wolfe said that before the governing body moves onto other items, this pertains to something that he said a little bit earlier. He said that he expressed views at Township Committee meetings and what he did not particularly appreciate is when someone takes those views and distorts them for political gain. The Deputy Mayor wanted to read to the attendees something that he said in February 2018 and then he wanted to read what came across his email yesterday. In February 2018, two months after there was a shift on the Township Committee, he had a discussion with Mr. Wang-Iverson about the problems that he found with the prior administration, and he wanted to read exactly verbatim what he said at that meeting and asked everyone to listen carefully. The prior administration “threatened residents who questioned their decisions. For example, threatening to boycott local businesses, sending the zoning officer to find violations, dismissing appointed officials who disagreed with them. We lived with a bloated budget and we lived with wasted taxpayer dollars. That is going to change. We, the four of us, are cleaning house from the top down. That means we are going to have an open government. We are going to have an efficient government, no wasteful spending, no threats. A government for the people and not for a dozen or so insiders. What’s it mean to clean house. Well clean house from the top down means we are getting rid of the old regime and in some cases that’s going to involve throwing the baby out with the bathwater. In instances where we are not sure, we are going to err on the side of saying that we want to put people in positions on our committees who share these core views, open government, efficient government, no threats, a government for the people. So that is why we made changes in the professionals. And I am sorry, David, that you don’t like that we are dismantling what you guys built over thirty years. But we don’t like what you have built over thirty years. And we are going to continue to dismantle it. Let me tell you something. As the last election shows, there is a momentum in East Amwell in favor of what we are doing, and that momentum is building. And if you want to jump in front of it, be my guest. But this is like a big freight train. It started out slowly but as it gains momentum, it has more and more force. And we are going to continue in that regard. And I expect the EADA to continue to try to step in front of us to criticize everything that we are doing. And I am okay with that. If you guys want to pick a fight over this, be my guest. My advice, go get help. And if you think that you are going to wear me down, I got up this morning and ran for three hours. You ain’t going to wear me down.” So the message that I delivered was that we are going to dismantle the evils of the prior government, the threatening residents, the excessive spending, the wasted taxpayers’ dollars.

Deputy Mayor said that he wanted to read a flyer that a resident emailed to him yesterday. It is a political flyer, which is attached to the set of minutes. Deputy Mayor Wolfe said to take this flyer, which was signed by Les Hamilton, whom he liked to refer to as Lying Les. He said to take Lying Les’s statements, starting the flyer by saying “that’s what four Township Committee Republicans stated at the February 2018 Township meeting. Deputy Mayor Wolfe said that was a lie; four committee members didn’t say that. Deputy Mayor Wolfe said it, saying that he just read you what he said. He said, Oh, by the way what you had in quotes was not what he said, so the author just took what the Deputy Mayor said and modified it and put it in quotes. Deputy Mayor Wolfe said that there were two lies right there – the author lied on what was said and lied about who said it. The flyer’s author then said “They have long fought against preservation and opposed protection of the Sourlands.” They want to repeal the protections, which have made East Amwell. Deputy Mayor Wolfe said that this was his favorite, “We cannot afford the stated and intended dismantling and development agenda of the present majority.” Deputy Mayor Wolfe said that they should talk about this for a second. He said that he made the statement, so he asked why don’t Les and Jeff tell them what is his development agenda; what protections is he dismantling. The Deputy Mayor said to look at his record. He chose to live in East Amwell because of the open space. He paid \$2.5 million dollars to buy 94 acres in East Amwell. He bought 11 acres that he had no desire to own. He bought them because they were approved for a seven home subdivision. The land went into foreclosure. He reached out to the EADA and said

that the land was in foreclosure, they can build seven homes on it, why don't we put it into preservation. The EADA told him to get lost. The Deputy Mayor bought the property with his own money so it wouldn't have seven homes on it. He built a home in East Amwell that is set up so that they, he and his wife, Kathy, can live here until they die. It has an elevator. They can go anywhere in the house in a wheelchair, including in the shower. They plan on staying here for the rest of their lives. On FOSPC, he is on that committee. He said that this was the one and only thing that he asked for when these two gentlemen won last year's election. He asked the Mayor to please appoint him to the Farmland/Open Space Preservation Committee. Why? Because he wanted to jump start their program to put the remaining unpreserved farms into preservation. He said that if you asked anybody on the Farmland/Open Space Preservation Committee, they will tell you that is exactly what he is trying to do.

Deputy Mayor Wolfe said that for Mr. Kelhlert to sign on to a document that says that the Deputy Mayor is fighting against preservation, when he sat there in a meeting and watched the Deputy Mayor fight with the County to get a grant to put the Wertsville Industries Farm into preservation is beyond belief. The Deputy Mayor said that a week and a half ago he went to a SADC meeting and fought for grant money for farmland preservation. The Deputy Mayor said for them to say that the leadership is trying to dismantle preservation and trying to undo open space is a flat out lie. The Deputy Mayor was not surprised with this, saying that this is how Les Hamilton and his dirty dozen does business. He said that the EADA takes what you say and distorts it, and the literature is a flat out lie. Deputy Mayor Wolfe said that at the last meeting, he referred to a group as the dirty dozen, but the dirty dozen has now become a baker's dozen with Jeff Kehlert as number 13, who is going to be as slimy as the rest of them and take the statements of somebody who is trying to fight for preservation and turn it around to make him look like he is anti-preservation. Deputy Mayor Wolfe said that when the literature says that Jeff Kehlert is planning to be your watchdog, he was not planning to be your watchdog – he was going to be a little political weasel that does what is best for the EADA and doesn't really care about what is best for the people of this township. Deputy Mayor Wolfe said, "And Les Hamilton is going to criticize my preservation record? He is the fellow who sat there and facilitated the raiding of the Township's open space trust fund of \$1.1 million dollars." The Deputy Mayor said that for Les Hamilton to call him anti-preservationist is nonsensical and disgusting. The Deputy Mayor said that as they go into the campaign, "if you guys want to take my statements out of context, you go for it. But if you think that I'm going to sit there and take it, you got another think coming. That is all that I have to say. And Terri, I don't expect you to do all the minutes verbatim, but this part I would like to see verbatim. I don't want any ambiguity. I don't want these guys to be able to take what I say and distort it. I want it very clear on the record what I said, including Lying Les and Jeff being a little weasel."

**CONSENT AGENDA ITEMS**

LGCCC – AMUSEMENTS GAME LICENSES FOR J. WOTASEK – 4H FAIR ON 8-22 THRU 8-26-18 - AG 18-01 BALLOON DARTS AND AG 18-02 FISH POND

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**RESOLUTION #73-18**

WHEREAS, South County Park, property belonging to the County of Hunterdon, is located in the Township of East Amwell, and

WHEREAS, South County Park is now the location of the annual Hunterdon County 4H Agricultural Fair, and amusement games play an important part in the entertainment at the Fair;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of East Amwell approves the following amusement game application, which conform to local ordinances:

Applications AG #18-01 and AG #18-02

Judith Wotasek, 207 Byram Kingwood Road, Stockton, NJ 08559  
Hunterdon County 4H Fair/South County Park/ 1207 Route 179,  
Lambertville, NJ 08530

August 28-26, 2018  
Balloon Darts and Fish Pond

By Order of the Township Committee,

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Tim Mathews, Mayor

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ABC SOCIAL AFFAIRS LICENSE – NATIONAL PSORIASIS FOUNDATION FOR AN  
EVENT TO BE HELD AT THE UNIONVILLE VINEYARD ON JUNE 16, 2018

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**RESOLUTION #74-18**

BE IT RESOLVED by the Township Committee of the Township of East Amwell,  
County of Hunterdon, State of New Jersey, that they have no objection to a Social Affairs Permit  
being granted to National Psoriasis Foundation for an event to be held at Unionville Vineyard, 9  
Rocktown Road, Ringoes, NJ on June 16, 2018.

By Order of the Township Committee,

\_\_\_\_\_  
Tim Mathews, Mayor

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Motion by Mr. Miller, seconded by Mr. Wang-Iverson, and carried unanimously to approve the  
consent agenda items.

**INTRODUCTION AND PUBLIC HEARINGS ON ORDINANCES**

**Public Hearings:**

**ORDINANCE 18-07 AN ORDINANCE ESTABLISHING A RECREATION AND PARKS  
ADVISORY COMMITTEE**

As proof of publication, the clerk provided the legal notice from the Hunterdon County  
Democrat issue of April 19, 2018. The ordinance was posted and available to the public since  
introduction on April 12, 2018.

Mayor Mathews said that this would formalize the recreation committee that currently exists.  
The Clerk said that the version of the ordinance that was published did not include new language  
offered by Mr. Wang-Iverson at the last meeting regarding trails and Clawson Park, and a legal  
opinion was obtained from Attorney Taylor that if the ordinance is adopted tonight, these  
changes were not substantial changes and could be incorporated at adoption. Mr. Taylor  
confirmed this.

Motion by Deputy Mayor Wolfe, seconded by Mr. Miller, and carried unanimously to open to  
the public for comments.

Sue Posselt, Cider Mill Road, asked what trails the ordinance would cover. She was told trails  
like the ones on Omick Woods and the new Rocky Wood Trails. Ms. Posselt wanted to know  
if this included the horse trails, and she was told no.

Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to close to  
the public.

Motion by Deputy Mayor Wolfe, seconded by Mr. Miller, and carried unanimously to adopt  
Ordinance 18-07 with the amendments as follows: Under Duties, Section B, shall read: Parks

and Recreational Facilities. The Recreation and Parks Advisory Committee will oversee the utilization, care and maintenance of the Township's parks, athletic fields, and other recreational facilities, including Clawson Park, and the Township's hiking trails in all instances subject to and in compliance with applicable law, including the Township Ordinances. The ordinance was adopted on roll call vote: Mr. Wang-Iverson, yes; Mr. Wolfe, yes; Mr. Miller, yes; Mr. Mathews, yes.

**ORDINANCE 18-08 AN ORDINANCE PROVIDING AN ADDITIONAL \$25,000 OF FUNDING FOR THE RESTORATION OF CLAWSON HOUSE FROM THE MUNICIPAL OPEN SPACE, RECREATION AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND**

As proof of publication, the clerk provided the legal notice from the Hunterdon County Democrat issue of April 19, 2018. The ordinance was posted and available to the public since introduction on April 12, 2018.

Motion by Deputy Mayor Wolfe, seconded by Mr. Miller, and carried to open to the public for comments. There being no comments, motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to close to the public.

Deputy Mayor Wolfe wanted to clarify that the money would be coming from the Open Space Trust Fund with the expectation that the money will be restored into the trust. The Township has applied for grants and it is expected that the funds will come in but not until the summer. In order not to stop work on the house, the Township is bridging the money until summer or fall.

Motion by Deputy Mayor Wolfe, seconded by Mr. Miller, and carried unanimously by roll call vote to adopt Ordinance 18-08: Mr. Wang-Iverson, yes; Mr. Wolfe, yes; Mr. Miller, yes; Mr. Mathews, yes.

**ORDINANCE 18-09 AN ORDINANCE AMENDING SECTION 106-3A(2) OF THE CODE OF EAST AMWELL TOWNSHIP GOVERNING EXPENSE REIMBURSEMENT FOR THE USE OF CLAWSON PARK**

As proof of publication, the clerk provided the legal notice from the Hunterdon County Democrat issue of April 19, 2018. The ordinance was posted and available to the public since introduction on April 12, 2018.

Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to open to the public for comments. There being no comments, motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to close to the public.

Motion by Mr. Miller and seconded by Deputy Mayor Wolfe to adopt Ordinance 18-09.

Deputy Mayor Wolfe said that the Deputy Clerk brought to his attention that there was a resolution for waiving the fee for non-profit organizations. He explained that there would be a fee of \$100 and a \$400 deposit to reserve the park, and the \$100 fee will cover costs associated with Clawson Park. While he was a supporter of non-profits, it was not clear to Deputy Mayor Wolfe why there was an exemption for non-profits to pay the fee, particularly if they were using it not in furtherance of their exempt purpose. He asked if anyone had any thoughts on whether not for profit groups should be exempt from the \$100 fee for renting the pavilion at Clawson Park, asking them to feel free to share them. He said that it was his inclination is to eliminate the exemption, particularly in cases where the not for profit is using it for purposes other than its charitable mission. The Deputy Mayor added that they would be coming back to deal with the exemption. The Deputy Mayor also questioned the validity of the resolution exempting non-profits rather than amending the ordinance, and this will be addressed. The Clerk asked for clarification on whether they would be waiving the \$100 fee at this time for non-profit groups. Deputy Mayor Wolfe said that the ordinance says that the \$500 deposit is waived, and it is now being broken down to a \$100 fee and a \$400 deposit. The way it appears in the code book, the Deputy Mayor believed that they were still exempt. He said that he only found out about this a

few days ago, and there wasn't any time to get a draft of the ordinance out to everyone. He added that \$100 is not a lot of money, and the Township was footing the bills out of tax dollars for people to use it for parties, and that didn't make sense. The Deputy Mayor tried to figure out how much it cost to send the road crew to clean the garbage and rest rooms and to send the Deputy Clerk over to Clawson Park to take down reserve signs, so the intent is to break even, not make a profit. Deputy Mayor Wolfe said that this was a few thousand dollars a year, and in East Amwell, a few thousand dollars a year is a lot of money.

Roll call vote was taken on Ordinance 18-09: Mr. Wang-Iverson, no; Mr. Wolfe, yes; Mr. Miller, yes; Mr. Mathews, yes.

#### ORDINANCE 18-10 AN ORDINANCE FOR DPW SUPERINTENDENT COMPENSATORY TIME CONSISTENT WITH THE EAST AMWELL TOWNSHIP BENEFITS RESOLUTION

As proof of publication, the clerk provided the legal notice from the Hunterdon County Democrat issue of April 19, 2018. The ordinance was posted and available to the public since introduction on April 12, 2018.

Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to open to the public. There being no comments from the public, motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to close to the public.

Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously by roll call vote to adopt Ordinance 18-10: Mr. Wang-Iverson, yes; Mr. Wolfe, yes; Mr. Miller, yes; Mr. Mathews, yes.

**Introduction of Ordinances:** None

#### **SPECIAL COMMITTEE REPORTS - None**

#### **UNFINISHED BUSINESS**

##### RECEIPT OF APPROVED SETTLEMENT AGREEMENT FOR AFFORDABLE HOUSING – 4-19-18

Deputy Mayor Wolfe said that East Amwell worked hard on the agreement before a court decision came down because Fair Share might ask for more affordable units, and they were very happy it was signed. The Township now has 120 days to put a plan in place with various legal documents. Once completed, the plan will be in effect until 2025.

##### WEST AMWELL TRAFFIC ENFORCEMENT AGREEMENT UPDATE

Mayor Mathews said that there was no update and he was working on an interrelated contract matter.

##### UPDATE ON VAN LIEUS ROAD VISIT

Prior to the regular meeting tonight, there was a duly noticed special meeting when Township Committee members walked Van Lieus Road to look at the chip sealing job done last year. When considering chip sealing going forth, the Committee wanted to see first hand and learn from the experience. Deputy Mayor Wolfe said that chip seal is used to maintain road, and he and Mr. Wang-Iverson had previously exchanged comments about the utility of chipping. Deputy Mayor Wolfe believed that Van Lieus was the wrong road to chip seal, and the engineer had said the same thing. Additionally, the Deputy Mayor did research on chip seal, referencing Asphalt Magazine as a good source of information on chip sealing. He read that for preservation purposes, chip seal should be applied to pavements in relatively good condition with no structural damage. Once structural damage has occurred, preventive maintenance treatments are no longer applicable and more involved correction strategies are required. Thus project selection

is a critical factor in the success of chip seal as a preservation technique. Deputy Mayor Wolfe said that Van Lieus Road was too unstable to chip seal and was destined to fail from inception. There was never a proper base installed, and the asphalt was applied over dirt and failed. Asphalt has to be applied over a stone base for stability and drainage, which allows the water to trickle down. He concluded that Van Lieus was not a good candidate for chip seal since it was not structurally stable, and the Township wasted \$50,000 or largely wasted it. That continues to be his view

Deputy Mayor Wolfe said that the Township clearly had to something with the roads, which are failing, with the Township policy over the years being to maintain them at a minimum level to keep them safe unless there were grants obtained. He did not conclude if this was right or not, saying that the Township would have to do a study of the roads and figure out a long term strategy for the roads, i.e., maybe just keep them safe or it may be more than that. He said that there were strategies to get additional grants, with the Mayor meeting with the Governor about getting additional grant funding, but the Deputy Mayor did not know how that would shake out. He added that he wanted to get more input from the public.

Deputy Mayor Wolfe said that the people don't want pristine roads, which would encourage traffic and speeding. He said that part of the reason people live in East Amwell is to be outdoors, walking dogs and running the roads, and they don't like speeders and need safe roads. He said that in some spots in his view the roads were less than safe, and while working on it, it will take time to work on a strategy and get public input; he said that he wanted to spend money prudently.

Mayor Mathews mentioned being invited to a small town mayors' meeting with the Governor at the Chester Fire House. It was a short meeting and he went prepared with a short memo outlining the Township roads, how many were repaired, how many were maintained by other towns, etc. The single mission was to get aid from the state and our congressmen for federal funding for the districts. The Mayor had lunch with an Assembly representative and he spoke about lobbying congressmen for funding. He was told that since the 23-cent increase in gas taxes, there is extra money for shovel ready projects. The Mayor will work with the DPW Superintendent and the Engineer and call the state's hand to see if there is money available. He didn't know how successful the Township would be, but he hoped to get some of this funding. It was the Mayor's opinion that after meeting residents, the majority of them don't want to spend taxes to fix roads, adding that a lot of them are county roads. He believed that residents did not want speeding on the roads, and they liked the roads bumpy and lumpy. He said that he is tenacious and will work on getting funding for roads.

**HIRING OF SUMMER PLAYGROUND PERSONNEL**

Mayor Mathews asked Committee Member Kevin Ostrander to interview and recommend the appointment of summer playground employees, which he did. Mr. Ostrander provided his May 7th email to the Mayor with recommendations. Mayor Mathews said that Kathy Veith ran the program for the last several years and ran it well. There will be new controls put in place to deal with minor complaints and make the process more effective. Mayor Mathews added that there was an ordinance adopted for a fee increase to accommodate the increase in salary for staff, and he hoped that it would be a breakeven move.

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**RESOLUTION #75 -18**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that the following appointments be made for the 2018 Summer Playground and that the Salary and Wage Resolution include the following amounts for the 2018 salary:

Summer Playground Supervising Director Kathy Veith	\$326.53/week
Summer Playground Director Thyra Zengel #1	\$275.53/week
Summer Playground Director Loretta Truppelli #2	\$275.53/week
Summer Playground Director Laura Berge #3	\$275.53/week
Summer Playground Director Erin Dolan #4	\$275.53/week
Summer Playground Director Alice Scott "Substitute"	\$275.53/week*

\*prorated per day

By Order of the Township Committee,

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Tim Mathews, Mayor

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Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to approve the resolution.

FEE BASED ROADSIDE CHIPPING – See 4/14 Minutes for Background

Mayor Mathews said that he has spent some time thinking about this and asked if others had any thoughts about a fee-based service. He said they could create a process so that residents get a permit to allow a scheduled visit for chipping. The notion would be that it was not township wide, but the residents would get on the schedule and they would have a visit by the DPW for debris and chipping. He asked that the Township Committee consider what would be an appropriate fee for a permit, including labor costs, blades, maintenance for the chipper, etc., and they would ask the DPW Superintendent to provide more discussion about what was needed to cover the costs, i.e., looking for something nominal but not exorbitant. Mayor Mathews said that if successful, more people would take advantage of the program. He said that he lives on the mountain and sees the debris, adding that it is encroaching on properties and if hit by a mower, can cause damage when hit. He also said that the branches can be a fire risk if there is a drought, and he is concerned about the amount of debris in the area.

Mayor Mathews congratulated Ron O’Reilly for running a successful roadside cleanup, saying that he helped by digging out cans and bottles from the debris. He believed that it would be prudent policy to put in place, and the attorney is drafting something for review and there will be action at the next meeting.

Mr. Miller asked about the use of the chipper for other things beside roadside collection. Deputy Mayor Wolfe said that the unit is old and worn out; he said that it is used for downed trees too besides curbside chipping. The Deputy Mayor mentioned that resident Frances Gavigan brought forth a suggestion at the last meeting to use independent contractors rather than using the road crew to allow them to do their work and fix roads, etc. He commented on an old chipper and contractors would have modern equipment and do faster, more efficient work. He suggested talking to contractors to figure out costs. Mr. Wang-Iverson said that in the past the Township used Rutgers Nursery for brush pickup.

Mayor Mathews asked whether the Township would contract with the independent company for a volume discount or would the residents engage the company directly. Deputy Mayor Wolfe thought that they should look at both options and maybe they would wind up with more progress if the property owners contract directly, e.g., the contractor can negotiate with the property owner if they have big piles of debris, which may help with the fire hazard issue. He commended Ms. Gavigan for her good idea of hiring an independent contractor.

Mayor Mathews suggested speaking with Jason Silverthorn and having a solution for the next meeting. The Mayor would like to have something in place by fall, and he asked the governing body members to contact him with any suggestions or questions prior to the June meeting. Mr. Miller agreed that the curbside chipping would address a need, but figuring out the logistics was important. Letting residents know through the tax bill mailing may be a vehicle for notification.

MUNICIPAL COURT

REVISED JOINT COURT AGREEMENT WITH DELAWARE TOWNSHIP AND REVISED SHARED COURT AGREEMENT WITH STOCKTON BOROUGH 5/9 VERSION

Mr. Wang-Iverson said that the agreements for both courts were revised and sent to Mr. Taylor for his input. The amended agreements address the issue of the court administrator’s salary being received from one entity, East Amwell Township, to allow the new court administrator’s full salary to be pension eligible. Mr. Wang-Iverson said that he would like to have a resolution to enable the Mayor to sign the agreements in order to finish up the process before Jennifer Budrewicz starts work on May 29. Mr. Wang-Iverson said that the financial information from all municipalities is the same, and the only difference is that the other municipalities pay East Amwell, who in turn, pays the employee. The agreements also document payment procedures for other employees, which was not well documented in the past. Mr. Wang-Iverson believed that it was good to include the current procedures in the document since it was being changed now.

Mr. Taylor agreed that it was good to make the changes now, and they are just waiting for feedback from the other municipalities.

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**RESOLUTION #76-18**

**RESOLUTION TO AUTHORIZE THE MAYOR TO FINALIZE AND EXECUTE UPDATED SHARED SERVICES AGREEMENTS FOR THE JOINT MUNICIPAL COURT WITH THE BOROUGH OF STOCKTON AND THE TOWNSHIP OF DELAWARE.**

WHEREAS Jennifer Budrewicz will begin her employment as the Joint Municipal Court Administrator on 29 May 2018, and;

WHEREAS recent pension rule changes require that all of Ms. Budrewicz’s salary be paid from a single source in order to be fully pensionable, and;

WHEREAS this pension rule requires that the Shared Services Agreements between East Amwell, Stockton and Delaware be modified to enable East Amwell to act as the lead agency for the court with respect to the Administrator’s salary, and;

WHEREAS, as of the date of this resolution, 10 May 2018, the updated agreements are currently under attorney review in Stockton and Delaware,

NOW THEREFORE BE IT RESOLVED that the Township Committee of East Amwell does hereby authorize Mayor Tim Mathews, in consultation with the township’s attorney, to finalize and execute the updated Shared Services Agreements on or before 29 May 2018.

By Order of the Township Committee,

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Tim Mathews, Mayor

+++++ Motion by Mr. Wang-Iverson, seconded by Mr. Miller, and carried unanimously to approve the resolution.

**CROSS RIVER FIBER REQUEST FOR RIGHT-OF-WAY (See 4/12/18 Minutes for Background)**

A request came in from Cross River Fiber representative Fred Brophy for a status report on their request for right of way access. The next step is to invite the representative to the next Township Committee meeting to ask what they want to do, e.g., run cable lines, etc. The clerk was asked to invite representatives to the next meeting.

**NEW BUSINESS**

**COMPLAINT FROM RESIDENT BERGER RE: LINVALE ROAD CONDITIONS**

Mayor Mathews said that the resident on Linvale Road provided a detailed synopsis about road conditions from Mountain to Rocktown Road and shared pictures of the road. The resident pleaded for the Township to repair the road. The Mayor shared the photos with the DPW, who is repairing larger potholes as part of the full Linvale Road drainage project, which will soon take place.

#### DOG WASTE AND UNLEASHED DOGS AT CLAWSON PARK

Alison Castellano, 9 Prall Court, also Chair of the Recreation Committee, was asked to speak about the issue. While it is called Poop-gate, it really is a serious issue, and there have been reports about dogs in the park unleashed and running around while there are people at play. There are also reports about dogs whose owners don't pick up the waste after them or just throw it in the trash next to the pavilion or on the ground. There is a requirement to take the waste out of the park, and this is an issue, especially in hot weather.

Deputy Mayor Wolfe said that dogs being off leash are also a concern in case they bite a jogger or child. The Township mowers are also an issue, i.e., the crew has to hose off the wheels and undercarriage after mowing the park. There are sanitary issues too, i.e., this is a park where children play, and having dog poop throughout the area is a problem. Some solutions would include additional dog waste signs and having regularly emptied dumpsters. A problem remains that some people won't pick up after their pets.

Deputy Mayor Wolfe spoke about getting feedback on the problem, adding that they could install cameras in a conditioned area. Since Clawson House is there, equipment and a few cameras could be installed to monitor the dogs and to make sure that no untoward acts are done in the park.

Mr. Wang-Iverson mentioned that Dilts Farm (Delaware Township) has doggie waste stations with bags and trashcans. This doesn't solve the problem of people who do not pick up after their animals, but it might help to have one at the end of the trails at Clawson Park. Deputy Mayor Wolfe said that there were cans placed around the park for dog waste, and Mike Petrus emptied them; he added that this is not efficient use of the DPW time, and the DPW Superintendent was not enthusiastic about pick up. Mr. Wang-Iverson said that the DPW in Delaware Township is responsible for this task.

Further comments were exchanged, including the following: a clean communities grant could be sought to purchase dog waste cans; the worst location for the waste is at the end of the park in the loop area; Mayor Mathews mentioned the safety issue of dogs off leash; Mr. Miller thought that it would be a liability issue having dogs running loose; Deputy Mayor Wolfe said that the camera can be installed, dog and owners could be identified, and tickets could be written; Mayor Mathews thought that it could be a good summer job to hire someone to write tickets – Deputy Mayor Wolfe questioned whether there was the ability of the employee to write tickets; Alison Castellano said that when people complain to owners at the park, the owners ask the complainers if they are the dog police; on a suggestion about signage, Alison Castellano mentioned that there is a sign at the front of the park to take dog waste off site – she will check wording on the sign; additional signs maybe installed, and Allison Castellano will see if there is any money in clean communities or a grant may be sought for the dog waste stations.

#### OPEN TO THE PUBLIC

Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to open to the public for comments.

Frances Gavigan spoke about what she has heard and what she did on her property, and she felt that trail cams are cheap. She said that pictures could be taken and posted on the website and internet on a "dog wall of shame." She mentioned portable potties at the park at one time. She said that if there were garbage cans for puppy poop because it would encourage owners to pick up waste and toss in the dumpster; she said that the DPW should get over it and empty the cans as part of their responsibilities.

On a question about the shared court agreements, Ms. Gavigan was told that there were changes in the pension laws, and in order for the new Court Administrator to have their full salary pensionable, the money will be paid to East Amwell Township from the other municipalities, and she will be paid by East Amwell Township. Deputy Mayor Wolfe added that the total salary will be divided among the municipalities.

Ms. Gavigan spoke about the having more police hours from West Amwell, and she suggested that they be asked to come out of the village area and go onto Wertsville Road and other areas. Deputy Mayor Wolfe said that in talking with West Amwell, they are willing to share police coverage but they do not want to send officers too far from West Amwell but agreed that they should patrol outside of the village area. The Deputy Mayor said it was a shared service with restrictions. Ms. Gavigan commented on revisiting opening the township to adjacent municipalities as an open season and have the covering municipalities keep the ticket money; she thought that perhaps Raritan Township or Hillsborough Township would be interested. Deputy Mayor Wolfe said that the percentage on the dollar was about 30 cents to the municipality and 70 cents goes elsewhere, and he questioned whether the other municipalities would find ticket revenue as an incentive. Ms. Gavigan believed that if motorists knew that there were other forces involved, it would result in behavior modification, adding that 30 cents is better than nothing, and the municipalities would see a small financial incentive.

Ms. Gavigan thanked the governing body for lowering the tax rate and for being transparent. She went through the audit and found it to be a good, clean financial year, mentioning some past auditors finding difficulties with how the township handled its finances. She felt that the Township was doing a good job so far.

Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to close to the public.

There was a short recess from 9:40 p.m. to 9:46 p.m.

**EXECUTIVE SESSION**

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**RESOLUTION #77-18**

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, East Amwell Township Committee is of the opinion that circumstances presently exist; and

WHEREAS, the governing body of the Township of East Amwell wishes to discuss contracts (West Amwell Tax Collector Shared Service) and to receive advice from the Township Attorney (property taxes); and

WHEREAS, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then minutes can be made public;

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

By Order of the Township Committee,

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Tim Mathews, Mayor

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Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously.

Executive session began at 9:46 p.m.

The regular meeting resumed at 10:09 p.m.

APPROVAL OF EXECUTIVE MINUTES

Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to approve the April 12, 2018 Executive Minutes with the corrections offered in executive session.

CHANGE IN LIAISON FOR TAX COLLECTOR

Mayor Mathews said that the Township Committee would be changing the appointed liaison for the Tax Collector from Deputy Mayor Wolfe to Mayor Mathews.

ADMINISTRATIVE REPORTS

CFO PASQUA presented the bills of the evening. The Clerk pointed out that the bill for Ferriero Engineering, brought up by a member of the public at the last meeting, was on tonight's bill list. The Planning Board had satisfactorily reviewed this and was aware of the reason for the costs. Motion by Mr. Wang-Iverson, seconded by Mr. Miller, and carried unanimously to approve the bill list as presented.

TAX COLLECTOR HYLAND presented her April report and one redemption resolution.

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**RESOLUTION #78-18**

REDEMPTION TAX SALE CERTIFICATE

WHEREAS there has been a redemption made for Tax Sale Certificate #201602, Block 14, Lot 18, assessed to Margaret Case which was sold on October 13<sup>th</sup> 2016 to US Bank Cust/Pro Cap 4 & Crdts and,

WHEREAS the amount of \$15,786.77 has been collected from the Estate of Margaret Case for the redemption of this Tax Sale Certificate #201602,

THEREFORE, BE IT RESOLVED that a check in the amount of \$15,786/77 be prepared and the Mayor, Treasurer and Clerk be authorized to sign this check and that this check be mailed to:

US Bank Cust/Pro Capt 4 & Crdts  
50 S 16<sup>th</sup> Street – Suite 2050  
Philadelphia, PA 19102

By Order of the Township Committee,

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Tim Mathews, Mayor

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Motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to approve the resolution.

Mayor Mathews asked about having the Tax Collector come to the next meeting to explain redemptions. The Clerk said that she provided the minutes from a previous meeting wherein the Tax Collector explained in detail how this worked. The Mayor would still like the Tax Collector to come to the next meeting.

CORRESPONDENCE

Correspondence was noted without comment.

**ADJOURNMENT**

There being no further business, motion by Mr. Miller, seconded by Deputy Mayor Wolfe, and carried unanimously to adjourn the meeting at 10:17 p.m.

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Teresa R. Stahl, RMC/CMC  
Municipal Clerk