

The regular meeting of the East Amwell Township Committee was called to order at 7:30 p.m. Present were Deputy Mayor Linda F. Lenox, and Committee members Patricia Cregar, C. Larry Tatsch, and Timothy Martin. Mayor Peter Kneski was absent. Township Administrator Timothy Matheny and Attorney Judith Kopen were 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 3, 2010, and a meeting notice published in the Hunterdon County Democrat issue of January 7, 2010. 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 April 6, 2010.

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

**AGENDA REVIEW**

Under Standing Committees, Farmland/Open Space Preservation, add item 2) Zuegner, Block 17/Lot 34 - Resolution for Agreement of Contractual Price. Under Correspondence, add the 4/7 letter from the Clerk to Hunterdon County in appreciation for the bridge meeting and the 4/6 memo from Stew Doddy on the Construction Department.

**SPECIAL PRESENTATION**

EAST AMWELL TOWNSHIP RESOLUTION OF COMMENDATION FOR PAUL TARASHUK, JR.

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**RESOLUTION #52-10**

WHEREAS, on February 24, 2010, East Amwell Township resident Paul Tarashuk Jr. observed a dangerous vehicular situation while driving along Route 202/31 South near the intersection of Old York Road; and

WHEREAS, the incident involved an elderly motorist who attempted to drive into on-coming traffic in the southbound lane, then reversed the car and drove south in the north bound lane, and

WHEREAS, Paul, using quick thinking, drove in the fast lane of the southbound lane, blaring his horn to alert other drivers and to get the motorist's attention, causing her to pull into the median and eventually blocking her car with his in the median; and

WHEREAS, Paul provided comfort to the out-of-town motorist, who was suffering from some physical complications, and he accompanied her to the hospital and stayed with her until her family was able to come from South Jersey;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby commend Paul Tarashuk Jr. for his courageous actions on February 24, 2010, reiterating the words of State Trooper Jay Axelrod that "Mr. Tarashuk demonstrated extraordinary character during his pursuit to ensure the safety of the [motorist] ... and [he] showed bravery in the face of those other motorists who cared not to involve themselves in the welfare of another"; and

BE IT FURTHER RESOLVED that the Deputy Mayor and the Township Committee of the Township of East Amwell hereby recognize and commend Paul Tarashuk Jr. for his heroic actions and direct the Clerk to prepare a copy of this resolution for Mr. Tarashuk with their sincere praise and admiration for his bravery and humanitarian efforts.

By Order of the Township Committee,

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Linda Fair Lenox, Deputy Mayor

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Motion by Mrs. Cregar, seconded by Mr. Tatsch, and it was carried unanimously.

The audience gave Paul a round of applause for his heroic accomplishments, and Deputy Mayor Lenox offered him words of appreciation.

## ANNOUNCEMENTS

A. Hunterdon County Utilities Authority will hold a Computer and Electronics Collection Day on Saturday, April 10, 2010 from 9 a.m. - 1 p.m. at the County Complex on Route 12. Call 908:788-1110 or email [hcua@co.hunterdon.nj.us](mailto:hcua@co.hunterdon.nj.us) for details.

B. The Annual Roadside Clean Up Day will be held on Saturday, April 17, 2010. Call Blaine Hummel at 609:466-2907 or email at [blaine.hummel@erm.com](mailto:blaine.hummel@erm.com) to register for a road

C. School Elections will be held on Tuesday, April 20, 2010, from 7:00 a.m. – 9:00 p.m. All polls are located at the East Amwell Municipal Building.

D. The Annual Clean Up Day will be held on Saturday, April 24, 2010 from 8 a.m. - noon on the municipal lot. Permits are available through the Clerk's Office or you may pay at the event. Permit fees are \$15/car; \$20/SUV; \$35/truck.

E. As a reminder, residents may bring their brush to the grit yard, located at 4 John Ringo Road during regular business hours from 7 a.m. - 3:30 p.m. daily.

F. Representatives from the NJ DOT will attend the May 13, 2010, Township Committee meeting beginning at 7:30 p.m. to give a public presentation on the up-coming Route 31 resurfacing project on specific segments between mile markers 12.5 and 16.2.

G. The Friends of Hunterdon County Library will hold their annual book sale on April 10 and 11, 2010, at the armory on Route 12 in Flemington

## APPROVAL OF MINUTES

March 11, 2010 Regular Minutes were approved on a motion by Mr. Tatsch, seconded by Mrs. Cregar, and carried with one abstention, Mr. Martin, with a correction in resolution #45-10, change a line transfer from Planning Board OE to Salaries and wages in the amount of \$1,000.

March 11, 2010 Executive Minutes (Land Acquisition and Contracts) were approved by Mrs. Cregar, seconded by Mr. Tatsch, and carried with one abstention, Mr. Martin.

March 11, 2010, Executive Minutes (Litigation, Possible Litigation, Contracts, and Attorney Advice) were approved on a motion by Mrs. Cregar, seconded by Mr. Tatsch, and carried with one abstention, Mr. Martin.

March 17, 2010, Special Minutes (Budget) were approved on a motion by Mr. Martin, seconded by Mr. Tatsch, and carried unanimously with corrections on page 3: second full paragraph, line four, change “the spiraling economic degradation” to “improving economic conditions” and in paragraph four, line eight, add the words “the remaining” before “employee’s wages.”

March 17, 2010, Executive Minutes (Personnel and Contracts) were approved on a motion by Mrs. Cregar, seconded by Mr. Tatsch, and carried unanimously.

March 29, 2010, Special Minutes (Budget, Construction Enforcement) were approved on a motion by Mr. Martin, seconded by Mrs. Cregar, and with one abstention, Mr. Tatsch, with one correction: page 7, remove paragraph six, and replace with the following: “Mr. Martin asked about tracking of DCA response and performance; Mr. Matheny commented that there are none.”

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

Iona English, 9 Runyon Mill Road, felt that the Township Committee was not aware of the requirements residents must meet with the existing stormwater management regulations, including high costs and severe calculation measurements for impervious surface. She felt that the regulations were arbitrary, and they were punitive to farmers. She highlighted the type of installation she had to install, which cost around \$20,000. She spoke about voluntarily putting in a water collection system and terraces when building a riding arena. She commented on reading the ordinance and again mentioned that it was punitive to farmers.

Mr. Tatsch said that the regulations were state mandated, calling on Andrea Bonette in the audience to reiterate this.

Ms. English felt that remedies, including grass roof top gardens and cisterns, were not appropriate. Deputy Mayor Lenox said it was her understanding that farms were exempt, and Ms. English commented on "a huge situation" if she did not have to have the system and was told by the Zoning Officer and the Engineer that she was required to do so.

Frances Gavigan, 123 Wertsville Road, commented on Franklin Township voting tonight on having farms under stormwater management regulations unless they adhere to the State's best management practices or farmers must apply to the CADB for a site specific application. She commented on a movement to apply to farms, businesses, and houses as an enormous issue and being costly.

Ms. Gavigan reported on the County Freeholder's Meeting on Tuesday night about the Governor's order on pensions, salaries, and health plans, outlining specifics on health and pension adjustments. She commented on the potential for cost effectiveness and efficiency to cost share for an administrator of these activities for all 26 municipalities.

Ms. Gavigan asked that the governing body consider moving its meeting to the 3rd Thursday so that people, including Deputy Mayor Lenox, can also attend the CADB meetings. She also commented on having minutes available electronically since there is only one meeting a month, and she asked that a book filled with all correspondence on the agenda be left on the back table for reference during the meeting (similar to what Raritan Township does).

Ms. Gavigan commented on the cost of doing business because of ordinances in place, noting that contractors have told her that there is a 25% premium in doing work in East Amwell; she suggested that the governing body think about this, i.e., the unintended consequences produced.

Andrea Bonette, 17 Ridge Road, said that the reference in the last set of minutes to the Construction Official counting dogs on the Monroe property was incorrect; this was not the employee sent to count the dogs.

Mrs. Bonette commented on the up-coming roadside clean up day and the fact that there may be materials, such as couches left on the side of the road, that the DPW will not pick up and will leave for the roadside clean up volunteers, and she asked that this be looked into.

Richard Ginman, Mountain Road, asked if the Zuegner or the Paulson-Gutowski items would be discussed in executive session.

Motion by Mr. Tatsch, seconded by Mrs. Cregar, and carried unanimously to close to the public.

**INTRODUCTION OF ORDINANCES/PUBLIC HEARINGS****Public Hearings**

ORDINANCE 10-04 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS FOR CALENDAR YEAR 2010 AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

As proof of publication, the Clerk provided the legal notice from the March 18, 2010, issue of the Hunterdon County Democrat. The ordinance has been posted and available to the public since introduction on March 11, 2010.

Mrs. Luhrs explained that the State of New Jersey allows two caps. This ordinance is for the appropriation cap, which allows municipalities to increase the appropriation cap from 2.5% to 3.5% by ordinance, and if the appropriations are not used, they can be banked.

Motion by Mrs. Cregar, seconded by Mr. Martin, and carried unanimously to open to the public. There being no comments from the public, motion by Mr. Martin, seconded by Mr. Tatsch, and carried unanimously to close to the public.

Ordinance #10-04 was adopted on a motion by Mr. Martin, seconded by Mr. Tatsch, and it was carried unanimously by roll call vote: Mr. Martin; yes; Mr. Tatsch, yes; Mrs. Cregar, yes; Ms. Lenox, yes.

**ORDINANCE 10-05 BOND ORDINANCE OF THE TOWNSHIP OF EAST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY, TO PROVIDE FOR THE RESURFACING OF A PORTION OF BACK BROOK ROAD, APPROPRIATING \$160,000 THEREFORE, INCLUDING \$139,000 AVAILABLE FROM GRANTS FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND REAPPROPRIATED FROM CAPITAL ORDINANCES PREVIOUSLY ADOPTED BY THE TOWNSHIP AND \$21,000 AVAILABLE FROM THE CAPITAL IMPROVEMENT FUND, AND AUTHORIZING THE ISSUANCE OF \$139,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

As proof of publication, the Clerk provided the legal notice of the bond ordinance summary from the March 18, 2010, issue of the Hunterdon County Democrat. The ordinance has been posted and available to the public since introduction on March 11, 2010.

Motion by Mr. Tatsch, seconded by Mrs. Cregar, and it was carried unanimously to open to the public for comments. There being no comments, motion was made by Mr. Tatsch, seconded by Mrs. Cregar, and it was carried unanimously to close to the public.

Mrs. Luhrs explained that the State previously awarded two NJ Department of Transportation grants for work on Lindbergh and Back Brook Roads, and work completed was \$139,000 less than anticipated. The State will allow the Township to transfer the \$139,000 to another ordinance to finish work on Back Brook Road. She was unable to cancel the two older ordinances since final payments have not yet been made. The bond ordinance was necessary to cover the work although there is no intent to bond.

Ordinance 10-05 was adopted on a motion by Mr. Tatsch, seconded by Mr. Martin, and it was carried unanimously by roll call vote: Mr. Martin, yes; Mr. Tatsch, yes; Mrs. Cregar, yes; Ms. Lenox, yes.

**Introduction of Ordinances**

**RESOLUTION TO AMEND THE TEMPORARY BUDGET**

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**RESOLUTION #53-10**

WHEREAS, the Township of East Amwell desires to amend the 2010 temporary capital budget of said municipality by inserting therein the following appropriations for the Township of East Amwell;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of East Amwell as follows:

SECTION 1: The 2010 temporary capital budget of the Township of East Amwell is hereby amended by the adoption of a schedule to read as follows:

Temporary Capital Budget Amendment of the  
Township of East Amwell  
County of Hunterdon, New Jersey

Projects Schedule of 2010  
Project

1. Road Improvement Projects

Project	Estimated Cost	Method of Financing Capital Improvement Fund
Leveling & subgrade reconstruction Of various Townships Roads	\$ 60,000.00	\$60,000.00

2. Road Equipment

Project:

Purchase of Various Road Equipment	\$ 24,000.00	\$24,000.00
Purchase of 2011 Ford F350 Pickup Truck	\$ 36,000.00	\$36,000.00
<b>TOTAL ALL PROJECTS</b>		
From:	\$160,000.00	\$ 21,000.00
To:	\$280,000.00	\$141,000.00

SECTION 2: The Clerk be and is authorized and directed to file two certified copies of this resolution with the Division of Local Government Services Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for the 2010 Temporary Capital Budget to be included in the 2010 Permanent Capital Budget as adopted.

By Order of the Township Committee,

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Linda F. Lenox, Deputy Mayor

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Motion by Mr. Martin, seconded by Mr. Tatsch, and it was carried unanimously to approve the resolution.

ORDINANCE #10-06

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ORDINANCE #10-06 AN ORDINANCE TO PROVIDE FOR LEVELING AND SUBGRADE RECONSTRUCTION OF VARIOUS TOWNSHIP ROADS AS GENERAL IMPROVEMENTS FOR THE TOWNSHIP OF EAST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND APPROPRIATING \$60,000.00 FROM THE 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 \$60,000.00 said sum being inclusive of all appropriations heretofore made therefore.

Section 2. The Township of East Amwell is hereby authorized to provide funding for the leveling and subgrade reconstruction of various Township roads which will include but not limited to Rocktown, Lindbergh, Orchard and Zion Roads.

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 \$60,000.00.

Section 4. The sum of \$60,000.00 is hereby appropriated for said purpose. The funding is provided by appropriating \$60,000.00 from the 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. The resolution amending the 2010 Temporary Capital Budget is hereby established to conform with the provisions of this ordinance.

Section 6. No debt of any kind is authorized for this undertaking.

Section 7. This ordinance shall take effect immediately upon adoption according to law.

By Order of the Township Committee,

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Peter Kneski, Mayor

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

Introduced: April 8, 2010

Adopted:

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Motion by Mrs. Cregar, seconded by Mr. Tatsch, and it was carried unanimously to approve the introduction of Ordinance 10-06. The ordinance will be published in the April 15, 2010, issue of the Hunterdon County Democrat, and the public hearing is set for a special meeting to be held on Monday, April 26, 2010, at 7:30 p.m.

ORDINANCE #10-07

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ORDINANCE #10-07 AN ORDINANCE TO PROVIDE FOR PURCHASE OF VARIOUS ROAD EQUIPMENT AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP OF EAST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND APPROPRIATING \$24,000.00 FROM THE 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 \$24,000.00 said sum being inclusive of all appropriations heretofore made therefore.

Section 2. The Township of East Amwell is hereby authorized to provide funding for the purchase of various road equipment which will include but not limited to the purchase of a power angle plow, motorized bed edger and a zero turn mower.

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 \$24,000.00.

Section 4. The sum of \$24,000.00 is hereby appropriated for said purpose. The funding is provided by appropriating \$24,000.00 from the 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. The resolution amending the 2010 Temporary Capital Budget is hereby established to conform with the provisions of this ordinance.

Section 6. No debt of any kind is authorized for this undertaking.

Section 7. This ordinance shall take effect immediately upon adoption according to law.

By Order of the Township Committee,

\_\_\_\_\_  
Peter Kneski, Mayor

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

Introduced: April 8, 2010

Adopted:

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Motion by Mr. Martin, seconded by Mrs. Cregar, and it was carried unanimously to approve the introduction of Ordinance 10-06. The ordinance will be published in the April 15, 2010, issue of the Hunterdon County Democrat, and the public hearing is set for a special meeting to be held on Monday, April 26, 2010, at 7:30 p.m.

ORDINANCE #10-08

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ORDINANCE #10-08 AN ORDINANCE TO PROVIDE FOR PURCHASE OF A 2011 FORD F350 PICKUP TRUCK WITH A 6.7L V8 TURBO DIESEL ENGINE AS A GENERAL IMPROVEMENT FOR THE TOWNSHIP OF EAST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND APPROPRIATING \$36,000.00 FROM THE 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 \$36,000.00 said sum being inclusive of all appropriations heretofore made therefore.

Section 2. The Township of East Amwell is hereby authorized to provide funding for the purchase of a 2011 Ford F350 Pickup Truck with a 6.7L V8 turbo diesel engine.

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 \$36,000.00.

Section 4. The sum of \$36,000.00 is hereby appropriated for said purpose. The funding is provided by appropriating \$36,000.00 from the 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. The resolution amending the 2010 Temporary Capital Budget is hereby established to conform with the provisions of this ordinance.

Section 6. No debt of any kind is authorized for this undertaking.

Section 7. This ordinance shall take effect immediately upon adoption according to law.

By Order of the Township Committee,

\_\_\_\_\_  
Peter Kneski, Mayor

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

Introduced: April 8, 2010

Adopted:

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Motion by Mr. Tatsch, seconded by Mr. Martin, and it was carried unanimously to approve the introduction of Ordinance 10-06. The ordinance will be published in the April 15, 2010, issue of the Hunterdon County Democrat, and the public hearing is set for a special meeting to be held on Monday, April 26, 2010, at 7:30 p.m.

**SPECIAL DISCUSSIONS**

PRESENTATION BY VERIZON REPRESENTATIVES, INCLUDING UPDATE ON FiOS in EAST AMWELL TOWNSHIP. Present at this time were Anna Lustenberg, Director of External Affairs for Community Relations and County Officials, and Gwen Cogan, Video Franchise Operations Manager.

Ms. Lustenberg appreciated the opportunity to be present, noting that there have been lots of questions from residents about FiOS in the area. As a matter of protocol, they are keeping their responses informally to the Mayor on what is happening with the company.

Ms. Cogan explained that they have been selling voice and data service in the area for a while. The last phase is the television service, and they want to be competitive in this market. There has been a delay in offering television service in East Amwell due to technical issues and cost factors; she stated that they are not expanding and are operating with the current base that they have now. She made the Mayor aware of this earlier this week or last week. Ms. Cogan had no time line when the technical issues would be resolved, noting that her number and Ms. Lustenberg's number are on the website and residents should direct their questions to them.

The representatives explained that they have stopped marketing FiOS television in the area; if residents get literature, they should get rid of it. They noted that they too were disappointed in the situation. They reiterated that they would keep the Mayor informed, and that any questions should be directed to their phone numbers or email addresses.

The Clerk mentioned that some residents received "triple play" information a few years ago, which they are still holding because of incentives offered. Ms. Cogan again noted that they could not predict when FiOS television would be available in the area. Mr. Tatsch asked that, on behalf of the Township, Verizon commit to East Amwell that the plan and incentives provided to others in the area be available to East Amwell when FiOS television becomes available. Ms. Cogan stated that she and Ms. Lustenberg do not have the authority to commit; however, they will bring the request back to the company. Ms. Lustenberg commented on enhanced competition and competitive rates.

Motion by Mr. Tatsch, seconded by Mrs. Cregar, and it was carried unanimously to open to the public.

Diane Griffith, Mountain Road, said she initiated her FiOS connection to the computer in January 2007 and is a company stockholder and "disenchanted resident."

Ralph Edelbach, Van Lieus Road, commented on his optimism, mentioning that advertising and technical departments are talking. He commented on his calls to Verizon in December and "trying to talk to the right person." He mentioned sending many emails and in writing an article for the VIP entitled "FiOS Fiasco." He questioned the technical issues, while understanding the money issues, and he concluded that he would look elsewhere for a better offer, including internet and phone.

Frances Gavigan, 123 Wertsville Road, asked about technical problems in delivering FiOS in New Jersey, i.e., was it only to low density rural areas, noting there is FiOS television in Princeton. Ms. Cogan could not specify any details, but noted that they offer service in Princeton and other locations, such as Camden, Vineland, and Newark, noting it was more expensive to build in bigger cities because of aerial installations. Ms. Gavigan commented on candor and the possibility of discriminatory practices in rural areas, mentioning the statewide franchise and a 60% number of homes. Ms. Cogan explained that the 60% referred to an increase in a competitor's franchise fees once this figure is hit, commenting on Verizon paying fees "from day one." Ms. Lustenberg also commented on the township being split by Century Link and Verizon service, reminding the public that they will only be able to provide FiOS to those in the Verizon area.

Iiona English, Runyon Mill Road, said that her property is one-half in Century Link and one-half in Verizon territories.

Bob Cramer, Van Lieus Road, commented on the Township being in both territories, noting that calls to his neighbor up the street are toll calls (out of area); he would like to see the Township in one district. Ms. Lustenberg explained that the community was divided at the time that exchanges were set up years ago, providing specifics. She suggested that Mr. Cramer give her his phone number, and she would have someone help him with a phone plan.

Sue Posselt, Cider Mill Road, has gone to Comcast phone service, can call everywhere, and is "really happy" with the service.

Motion by Mr. Martin, seconded by Mr. Tatsch, and it was carried unanimously to close to the public.

Mr. Tatsch concluded that he would have preferred that Verizon went into more detail about the technical issues, asking if the mandated split of the state into service areas by the FCC was part of the issue. Ms. Cogan again stated that they cannot provide details because of proprietary issues, and she will keep in contact with the Mayor.

The governing body thanked Verizon representatives for their appearance.

DISCUSSION WITH TOWNSHIP ATTORNEY ON AGENDA RELATED ISSUES

1) Civil Rights Resolution and Policy Manual Updates: Ms. Kopen explained that the civil rights resolution and the policy updates were required by the insurance carrier. There was a question about the applicability of the NJ Family Leave Act; although the act applies to companies with 50 or more employees, it also applies to municipal or public entities no matter how many employees.

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**RESOLUTION #54-10**

A RESOLUTION TO AFFIRM THE TOWNSHIP OF EAST AMWELL 'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS.

WHEREAS, it is the policy of the Township of East Amwell to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Township of East Amwell has determined that certain procedures need to be established to accomplish this policy.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Committee of the Township of East Amwell that:

Section 1: No official, employee, appointee or volunteer of the Township of East Amwell by whatever title known, or any entity that is in any way a part of the Township of East Amwell shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the (local unit type)'s business or using the facilities or property of the Township of East Amwell.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of East Amwell to provide services that otherwise could be performed by the Township of East Amwell.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of East Amwell as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of East Amwell. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Township's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Township of East Amwell in order for the public to be made aware of this policy and the Township of East Amwell's commitment to the implementation and enforcement of this policy.

By Order of the Township Committee,

Linda F. Lenox, Deputy Mayor

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**RESOLUTION #54A-10**

RESOLUTION REVISING EAST AMWELL TOWNSHIP PERSONNEL POLICIES AND PROCEDURES

WHEREAS, there exists a need to amend certain sections of East Amwell Township’s Personnel Policies and Procedures in order to comply with the updates in law;

WHEREAS, the amendments to the personnel policies were recommended by the Municipal Excess Liability Joint Insurance Fund for small municipalities; and

NOW, THEREFORE, BE IT RESOLVED, by the Deputy Mayor and Committee of the Township of East Amwell, County of Hunterdon, New Jersey, as follows:

1. The following sections of East Amwell Township’s personnel policies are amended:
  - a. American Disabilities Act Policy – Policy Number 1.2
  - b. Anti-Harassment Policy – Policy Number 1.8
  - c. Anti-Sexual Harassment Policy – Policy Number 1.9
  - d. Email, Voice Mail, Computer and Internet Usage Policy – Policy Number 2.14
  - e. Family and Medical Leave Act Policy – Policy Number 3.12
2. The Revised Polices are attached to this Resolution (as a part of the final Set of minutes).

BE IT FURTHER RESOLVED, that the revised policies will be distributed to all employees .

BE IT FURTHER RESOLVED, that all managerial/supervisory employees will receive the updated Personnel Policies and Procedures Manual.

The Resolution shall become effective upon passage and publication in accordance with law.

By Order of the Township Committee,

Linda F. Lenox, Deputy Mayor

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Motion by Mrs. Cregar, seconded by Mr. Martin, and it was carried unanimously to approve the resolutions.

2) Resolution to Enter Executive Session:

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**RESOLUTION #55-10**

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 litigation, potential litigation, contracts, personnel, and to receive advice from the Township Attorney; 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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Linda F. Lenox, Deputy Mayor

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Motion by Mr. Martin, seconded by Mrs. Cregar, and it was carried unanimously to approve the resolution.

Executive session began at 8:30 p.m. Mrs. Luhrs entered the executive session at 8:45 p.m. The regular meeting resumed at 9:15 p.m.

Diane Griffith, in the audience, objected to having the executive session and asking the public to wait outside the meeting room. The Clerk explained that this was a request from the governing body to have the attorney's items early on the agenda as a cost savings mechanism. Mrs. Griffith felt that the attorney should be asked to appear after the regular meeting.

**UPDATE ON ADMINISTRATION AND ENFORCEMENT OF THE UNIFORM CONSTRUCTION CODE (See 3/29/10 Minutes for Background)**

Mr. Matheny updated the audience that discussions with the Department of Community Affairs (DCA) have been tabled and there have been discussions with neighboring municipalities about shared services agreements with East Amwell Township. He noted that there have been tentative answers received, and there is a potential for the shared services agreement. He mentioned that there is a need to act quickly because the Treasurer prepared the budget with a Construction Department line through the end of June.

Attorney Kopen left the meeting at 9:25 p.m.

**SPECIAL COMMITTEE REPORTS**

**UPDATE ON WERTSVILLE ROAD MEETING WITH HUNTERDON COUNTY REPRESENTATIVES ON MARCH 31, 2010**

Mr. Tatsch explained that four of the Freeholders and staff from the Engineering Department made a presentation and walked the site to look at elevations and locations, which they did effectively to get a better understanding of changes to be made. He commented on Freeholder Mennon's "shock" at the change in elevation. There will be a future meeting with the County within the month, and the bridge ad hoc committee will meet to discuss how to move forward. The Committee's hope is to see the bridge replaced without any changes to the approaches; Mr. Tatsch hoped that the Freeholders, after seeing the site, will see that the current plans are not workable. The hope is also that the County Engineers can develop another plan and still receive federal funds.

Frances Gavigan, 123 Wertsville Road, commented on a published Freeholder's meeting at the bridge and the ad hoc committee's notice about a meeting, which she did not believe was a meeting. She commented on the process and things happening behind the scenes, the fact that Mr. Kelly has a bridge engineer who wants to see the plans, and the need to act quickly. Mr. Tatsch commented on setting up another meeting prior to the county meeting, which was discussed at the March 31 meeting. He noted that the engineer friend of Mr. Kelly was not willing to provide free service, and the other engineer (recommended by Mr. Kelly's friend) was with a consulting firm who would want to be paid; the Township Engineer (who also was recommending a bridge specialist) was the more appropriate contact for this.

Ms. Gavigan felt that the ideas from everyone in attendance at the site meeting should be brought to the County. She spoke further about the bridge engineer, noting that she was getting an estimate for review of the bridge. She spoke about transparency and spoke at length about the dire situation at the location, including specifics about a property owner who will lose property

and the length of time she has been involved with this matter. She further commented on the Freeholder's actions, including allocating money to take a further look at the matter and "missed easements," among other items. Iona English commented on spending \$385,000 for plans. Ms. Gavigan felt that it was important to have a plan to bring to the County to provide a replacement that is substantially equivalent; she commented on the need to be open. She mentioned DEP and Stormwater permits and she has contacted Dan Saunders at the NJ State Historic Preservation Office for assistance. She suggested a united front to tell the County what is wanted in terms of the repair and to stop wasting money. She spoke about other road projects she was aware of, including the Cider Mill Road bridge and the Route 518 bridge, commenting on the County process. She asked that the Township be efficient and proactive and make a difference.

Iona English, Runyon Mill Road, mentioned working with Andrea Bonette years ago with the County on bridge projects, commenting on lies and wasting money for engineering plans. Comments were made about specific bridges and properties in the township (including Tottens, Wielentas, the Rocktown truss bridge) and expenses for plans. The County is looking to spend another \$110,000 to review the \$385,000 plan by the same firm. Ms. Gavigan also made comments about property belonging to Terry Ragolia, questioning field studies at the location in relationship to the development of the plan.

Mr. Tatsch agreed that a bridge engineer may be appropriate; there may be \$1,000 in the budget, and he agreed that Ms. Gavigan should get a quote from the bridge engineer contact through Mr. Kelly. He suggested that the residents may want to make donations to cover costs.

Ms. Gavigan asked for truthfulness, commented on her opinion of Mr. Martin at the County, and commented on the urgency of the matter. She expects a call back from the engineer by next week, and commented on getting a proposal and working on strategies. She mentioned that Mr. Glynn is on vacation, and there was not a lot of time. She felt it was important to get feedback from everyone, including those with experience in AASHTO standards. Ms. English commented on the design for the bridge, which she felt was flawed, with unlimited weight limits as a potential problem. Ms. Gavigan commented on widths for the Dutch Lane and the Manners Road bridges, for which County Engineer Martin provided information in the past.

An ad hoc committee meeting for the bridges is being scheduled during the week of April 19, with potential dates of April 19 - 22. Ms. Gavigan commented again on public input, possibility of public paying for engineer, and on her hard work over the past 18 months.

Diane Griffith, Mountain Road, commented on residents paying for a private geologist in the Mountain Zone years ago.

**STANDING COMMITTEE REPORTS**

**FARMLAND/OPEN SPACE PRESERVATION:**

1) Resolution to Authorize Application for Hunterdon County Open Space Trust Funds:

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**RESOLUTION #56-10**

WHEREAS, the Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide Program Funds in connection with municipal acquisition of lands for recreation, conservation and general open space purposes, farmland preservation, preparation of plan elements of a municipal Master Plan and/or restoration of county owned historic facilities:

WHEREAS, the Governing Body of East Amwell Township desire to obtain Open Space Trust Funds in the amount of \$36,780.00 to fund the following project(s):

Reimbursement of debt incurred on September 5, 2008, for expenses on easement acquisition for property belonging to the Estate of Hazel Harrison (Block 27 lots 46 and 46.05) acquired with partial funding from East Amwell Township per cost sharing agreements with Hunterdon County and the State Agriculture Development Board as part of the traditional Planning Incentive Program for acquisition of farmland easements.

NOW, THEREFORE, the Governing Body of East Amwell Township resolves that:

1. Judith Conard is authorized to (a) make an application to the County of Hunterdon for Open Space Trust Funds (b) provide additional application information and furnish such documents as may be required for the Municipal Grants Program, and (c) act as the principal contact person and correspondent of the above named municipality.
2. If the county of Hunterdon determines that the application is complete and in conformance with the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan and the Policies and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such adopted policies and procedures, and applicable state local government rules, regulations and statutes thereto.
3. The Deputy Mayor of East Amwell Township, Linda Lenox is hereby authorized to sign and execute any required documents and agreements with the County of Hunterdon for approved Open Space Trust Funds.

By Order of the Township Committee,

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 Linda F. Lenox, Deputy Mayor

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 Motion by Mr. Tatsch, seconded by Mrs. Cregar, and it was carried unanimously to approve the resolution.

2) Zuegner Property, Block 17/Lot 34: It was explained that the property was appraised for \$13,000 per acre as the State's certified value, and the County letter with an offer of \$9,500 per acre went out prior to the appraisal. The attorney for the Zuegner's is looking for assurance that the Township, if necessary, will make up the difference.

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**RESOLUTION #57-10**

**RESOLUTION AUTHORIZING THE TOWNSHIP TO PAY THE DIFFERENCE BETWEEN THE AMOUNT PAID TO THE ZEUGNERS BY THE COUNTY AND/OR STATE FOR THE DEVELOPMENT RIGHTS TO THEIR FARM AND \$13,000.00 PER ACRE**

WHEREAS, the Township of East Amwell is interested in seeing the County of Hunterdon preserve the Zuegner Farm, Block 17, Lot 34, in the Township of East Amwell; and

WHEREAS, the State Agricultural Development Commission ("SADC") has certified the Fair Market Value of the development rights of the property to be \$13,000.00 per acre pursuant to its report, dated September 24, 2009; and

WHEREAS, the Zuegners have indicated that they will only sell the development rights to their property for a minimum of \$13,000.00 per acre; and

WHEREAS, the Township Committee has concluded that, based on the SADC report, the Fair Market Value for the development rights of the Zuegner Farm is \$13,000.00 an acre; and

WHEREAS, the Farmland and Open Space Committee of the Township has advised the Township Committee that the Zuegner Farm is a vital acquisition for the preservation of open space in the Township and has recommended that the Township guarantee to the Zuegners that they will receive a minimum of \$13,000.00 per acre for their preserved land.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of East Amwell, County of Hunterdon, New Jersey, that the Mayor and Clerk are hereby authorized to enter into an Agreement with Louis L. Zuegner, III and Jeanne K. Zuegner, substantially in the form attached hereto.

The Resolution shall become effective upon passage and publication in accordance with law.

By Order of the Township Committee,

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Linda F. Lenox, Deputy Mayor

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Motion by Mr. Martin, seconded by Mr. Tatsch, and it was carried unanimously.

RECYCLING COMMITTEE

1) Tonnage Grant and Recycling Tax Resolutions: These are the annual resolutions requested by the Recycling Committee for access to state funding.

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**RESOLUTION #58-10**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, C.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for the calendar year 2009 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee of East Amwell Township to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of East Amwell that East Amwell Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Joyce Corboy to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

By Order of the Township Committee,

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Linda F. Lenox, Deputy Mayor

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**RESOLUTION #58-10A**

WHEREAS, the Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law," the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program.

NOW, THEREFORE BE IT RESOLVED by the Township of East Amwell, that East Amwell Township hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2009 in the amount of \$56.64. Documentation supporting this submission is available at 1070 Route 202/31, Ringoes, NJ 08551, and shall be maintained for no less than five years from this date.

By order of the Township Committee,

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Linda F. Lenox, Deputy Mayor

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Motion by Mr. Tatsch, seconded by Mrs. Cregar, and it was carried unanimously to approve the resolutions.

RECREATION COMMITTEE

1) Appointment of New Member: Dawn Payne was interviewed at a special meeting this evening for a position on the Recreation Committee. The governing body was very supportive of the appointment. Motion by Mrs. Cregar, seconded by Mr. Tatsch, and it was carried unanimously to approve the appointment of Dawn Payne to the Alternate I position for the expired term through December 31, 2010.

2) Request for Use of Baseball Fields with Tower Lighting for Night Game on May 28 (Memorial Day Weekend): Brian Richardson was present, representing the Amwell Valley Little Baseball League.

Mr. Richardson explained that the baseball league was requesting the use of the T-2 field for a major league game between two township teams with 12 year old members. They have obtained permission from the Recreation Committee, as required by ordinance. There was some discussion about having a movie night after the game, but this is not a firm decision. The event is slated for May 28 (Memorial Day Weekend), and the event should take place from 7 p.m. to 9:30 p.m.; no sound system will be in use. The lights will be four portable tower lights, similar to the ones used by the fire company for their Harvest Fest. It was unclear whether more than four lights would be used, depending on lighting capability. The league will respect the surrounding neighbors and make sure that light does not affect them. A recommendation was made, as a courtesy, to contact the residents on Fox Hunt Road and advise them of this one day event, which ends at 9:30 p.m.

Motion by Mr. Tatsch, seconded by Mr. Martin, and it was carried unanimously to approve the request.

ENVIRONMENTAL COMMISSION:

1) 3/30 Resignation from Laura Lewis: The Committee commented favorably on Laura's past service to the Township, and they were sorry to hear about the resignation. Motion by Mr. Martin to accept the letter of resignation from Laura Lewis with regret, and to move Joe Angelone to the vacated position, and move Edward Feinberg to the Alternate I position. The motion was seconded by Mr. Tatsch, and it was carried unanimously.

UNFINISHED BUSINESS

TOWNSHIP ADMINISTRATOR'S UPDATE

1) Winter Road Treatment: Mr. Matheny read from the 4/7 memo prepared by DPW Superintendent Kadezabek, listing the following roads: Snyderstown Road should be added because of tree and shade conditions which have resulted in several ice build up and unnecessary overtime. Harvest Hill Farms, Myers Lane, Iron Horse Drive, Fox Hunt Road, Holcombe Park, Larison Lane, Melbourne and Poplar Roads should have a limited application of salt to ensure stopping and safe travel because of high vehicular and pedestrian traffic, and many of the roads are in the village area. Van Lieus Road from Back Brook Road to County Route 514 should be added for salt usage because it is a winding and hilly road. Rainbow Hill Road salt application begins at Wertsville Road through the bridge over the Neshanic River, and Mr. Kadezabek would like to continue the application for the entire distance on Rainbow Hill. Committee members agreed that they would like to see the memo and discuss it again at the next meeting. Mr. Tatsch clarified that DPW Superintendent Kadezabek previously advised the Committee that once the current supply of salt and grit mix is used, he would only be applying salt and not grit. Mr. Matheny also noted that Mr. Kadezabek saw the results from the recent well test results for sodium, and there was no salt in the wells; the Board of Health has not yet seen the results.

2) Contract with Raritan Township for Traffic Enforcement: Mr. Matheny explained that he was authorized to work out details with Raritan Township for traffic enforcement, and an agreement has been reached for Raritan Township to provide four hours of service per week to East Amwell Township. He will work with the police on appropriate locations to patrol, including areas where the speed drone has provided data and areas where citizens have complained. East Amwell Township will order ticket books, and the revenue collected will stay in the Township. Mr. Matheny provided anecdotal information on the Rocky Hill/South Bound Brook agreement as a comparison. He noted the potential for revenue to the Township while addressing the issue of traffic enforcement; the contract being offered for approval is for the remainder of 2010 and cost will be prorated on the basis of \$15,000 per year.

Mr. Martin asked if the traffic sign data will be used in conjunction with the officers' presence; Mr. Matheny said, "Maybe," noting that particulars have not yet been formalized.

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**RESOLUTION #59-10**

**RESOLUTION AUTHORIZING DEPUTY MAYOR AND CLERK TO ENTER INTO A SHARED POLICE SERVICES AGREEMENT WITH THE TOWNSHIP OF RARITAN**

WHEREAS, police services currently are provided in East Amwell Township ("East Amwell") by the New Jersey State Police ("the State Police"); and

WHEREAS, East Amwell has a positive relationship with the State Police and is satisfied with the law enforcement services they provide; and

WHEREAS, East Amwell has a need for increased enforcement of traffic laws within its borders; and

WHEREAS, it is unlikely that the State Police can provide an increased traffic enforcement presence on a regular basis because of their manpower constraints; and

WHEREAS, the Township of Raritan ("Raritan") has its own police force and can provide traffic enforcement services to East Amwell using existing manpower and equipment; and

WHEREAS, Raritan is willing to provide traffic enforcement services to East Amwell; and

WHEREAS, the sharing of traffic enforcement services will benefit both East Amwell and Raritan by increasing the efficiency and decreasing the costs of those services; and

WHEREAS, the parties have agreed that Raritan will provide traffic enforcement services to East Amwell in accordance with the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. (“the Shared Services Act”) and terms and conditions of the attached Agreement; and

WHEREAS, the Hunterdon County Prosecutor’s Office has approved the form of the agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Deputy Mayor and Committee of the Township of East Amwell, Hunterdon County, New Jersey, that the Mayor and Clerk are hereby authorized to execute a Shared Police Services Agreement with the Township of Raritan substantially in the form attached.

By Order of the Township Committee,

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Linda F. Lenox, Deputy Mayor

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Motion by Mr. Tatsch to approve the resolution. He commented as Traffic Liaison, stating that traffic complaints from the public were a major problem, and he felt that this is a great step in providing service at a very low cost. The motion was seconded by Mrs. Cregar, and it was carried unanimously.

3) Staff Meeting Update: Mr. Matheny commented on the recent staff meeting, which included a training on harassment. Other issues, including budgetary impacts, were also discussed.

4) Insurance Requirements, including Civil Rights Resolution & Policy Manual Updates: Resolutions of approval were adopted under the attorney's discussion earlier in the meeting.

5) NJ Ride Against Aids on 9/25/10 and Somerset Wheelmen Ride on 6/12: Both organizations have used East Amwell Township Roads in the past without incident. Deputy Mayor Lenox asked that the event organizers be made aware of roadwork plans in East Amwell Township this year.

Motion by Mr. Martin, seconded by Mr. Tatsch, and it was carried unanimously to approve the use of roads by NJ Ride Against Aids on 9/25/10 and Somerset Wheelmen on 6/12/10.

6) Rocktown Road Traffic Complaint: Mr. Matheny commented on an email communication with Mr. Tatsch concerning a complaint on Rocktown Road. Mr. Tatsch explained that Tom Leyhane had raised concerns about speeding on Gulick Road as a cutoff from Route 202 to Route 31, with increased speeds on Rocktown Hill Road. The speeding is in West Amwell Township, Mr. Leyhane has asked for police presence from West Amwell, but they do not have the staff to monitor. Mr. Tatsch recommended to Mr. Leyhane that he write or call West Amwell Township again, and if necessary, Mr. Tatsch believed that East Amwell Township would be willing to consider supporting his request.

**NEW BUSINESS**

**SPECIAL SOCIAL AFFAIRS A.B.C. PERMIT FOR THE AMWELL VALLEY FIRE COMPANY FOR A ONE DAY EVENT TO BE HELD ON SATURDAY, MAY 22, 2010, AT THE FIREHOUSE**

The Clerk explained that member John Chiesa advised that this is an open house for the community to see the new building on the property and to recognize their support.

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**RESOLUTION #60-10**

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 Special Permit for a

Social Affair being granted to the Amwell Valley Fire Company (Club License #1008-31-002-01) from the New Jersey Division of Alcoholic Beverage Control for an event to be held on Saturday, May 22, 2010, on the Amwell Valley Firehouse property.

By Order of the Township Committee,

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Linda F. Lenox, Deputy Mayor

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Motion by Mr. Tatsch, seconded by Mrs. Cregar, and it was carried unanimously to approve the resolution.

**OPEN TO THE PUBLIC**

Motion by Mr. Martin, seconded by Mr. Tatsch, and it was carried unanimously to open to the public for comments.

Richard Thayer, Mountain Road, commented that over the past 25 years, he has had occasion to deal with the Code Officer on three occasions and found him to be competent, straightforward, cooperative, and provided good results. He commended Mr. Doddy and asked that his years of service be recognized and that he be commended for his good actions.

John Kelly, Wertsville Road, read from some notes he prepared. He and Construction Official Doddy had differences of opinion when they first met, with Mr. Kelly commented on his experiences with dealing with New York inspectors from his work background. He concluded that the Township "should keep [Mr. Doddy], he was worth it." Mr. Kelly was not in favor with going with the DCA, stating that other towns are leaving their services and going back to their own inspections; the DCA has their own requirements, not as stringent as East Amwell's, "they are a very political group, have different test requirements, are over 45 minutes away in distance, and it will not save that much money."

Mr. Kelly spoke about the problems with traffic on Wertsville Road, where he lives. He stated that the road is a raceway with some motorists traveling up to 70 mph; he believed that most speeders are from out of state with many Pennsylvania licenses, commenting that the police would be able to issue numerous tickets, especially at 6:30 a.m. Mr. Kelly spoke about digital camera use in New York, where you receive summons in the mail, based on photos taken while driving; he suggested using dummy cameras to control traffic speed. He also spoke about increased motorcycle riding on the road, commenting on the effect they have on his horses.

Iлона English, 9 Runyon Mill Road, recommended that all information about the construction department topic should take place at one meeting, commenting on the information she had about the possibility of Raritan Township inspections in the future. She recommended that the public be kept informed, provided her opinion about PowerPoint Presentations, and felt that the Township owed the public the opportunity to know all options at one time. She did not feel that DCA would meet the Township's needs. Ms. English commented on the last Township Committee meeting, noting that Mr. Doddy "is good and honest, he helps the public, knows ... good contractors... and is generous with information while being honest and fair." She believed that the Township Committee should listen to the people who live here. She also commented on Raritan Township hours of operation as a convenience, noting that it was "a whole lot closer than Asbury."

John Seramba, 111 John Ringo Road, found that Raritan Township was willing to work with other municipalities, mentioning his experience with the inspectors when he was associated with Raritan Township. He believed that they are the best inspectors in the County for electrical, fire, and all, and he commented on potential cost and on the ability to see inspectors at 7 a.m. in Raritan Township. He felt that it was a consideration to pursue.

Mr. Seramba commented on the Wertsville Road project, and the work done by Ms. Gavigan and the ad hoc committee, speaking about the opportunity to make changes in the project, and the help given by volunteers who push committees. He commented on Freeholder Holt's recent remark about the project, reiterating the need to deal on all levels to push issues. Mr. Seramba

believed that the governing body should commend Ms. Gavigan for pushing the issue, further commenting on approval by September of this year or losing federal funding.

Frances Gavigan, asked about correspondence from Fred Gardner about changing the Township Committee meeting night, mentioning she also asked about this twice, asking that the Township Committee consider the third Thursday. The item will be added to the April 26th agenda for discussion.

Ms. Gavigan commented on the repair to the culvert on Wertville Road, commenting on the best time for the County to make the repair.

Bob Cramer, Van Lieus Road, thanked the Township Committee for having the grit yard open for brush collection, noting that he recently discovered it was closed. He asked if this was due to budget constraints or because the yard was filled to capacity. Mr. Matheny explained that the yard is open during regular business hours only; the Township attempted to leave it open at other times, but there was a large dumping problem. The pile of brush accumulation currently on site will be ground within a few weeks, and mulch will be available to the public and for use at Clawson Park. Mr. Cramer felt that this is a good service for the residents and asked that funding for it be kept in this year's budget.

Mr. Cramer added that he has dealt with Mr. Doddy on renovations to his farmhouse over the years, and he found that "Stew is a true professional, providing insight and guidance and helped to keep the historical character" of the home. He believed that a state bureaucracy versus a local inspector would result in a loss of hometown rule. He wanted Mr. Doddy to know that "he is really appreciated by the residents."

Mr. Cramer also commented on the Wertsville Road repair, mentioning the design of the Flemington Circle and County involvement in bridges and roads. He felt that keeping roads or the allusion of a narrow road would prevent them from becoming raceways. Mr. Cramer endorsed Mr. Matheny's negotiations with Raritan Township, commenting on the use of GPS to encourage non-residents to use our back roads.

Iiona English stated that any project using federal funds is required to have a 106 review process to determine the impact on historic resources, commenting on the historic area where the Wertsville Road bridge project will take place. She questioned whether this was done appropriately.

Darlis Maksymovich, Rileyville Road, supported Stew Doddy and the entire construction office, mentioning letters from residents, including senior citizens, she was familiar with as a past employee. She stated that the officials helped and protected residents and resolved their problems when necessary. She did not believe DCA would do the same, and applications would not be turned around quickly by the DCA (i.e., currently East Amwell permits are turned around in 3-5 days). She stated that contractors with whom she continues to have relationships contact her about the proposed changes in East Amwell Township and will not continue to do work here if DCA takes over; these contractors believe that East Amwell Township inspectors "were the best inspectors in the area." She also provided information about her husband's experience in the lengthy DCA permitting process. Ms. Maksymovich concluded that the decision affects not only Stewart Doddy, but Peter Buchanan, Peter Ball, and her. She asked that the Township consider the residents and do not take the Construction Office away.

Andrea, Bonette, 17 Ridge Road, mentioned that the Stormwater Management Committee was disbanded in December 2009, and she asked about the stormwater management ordinances which still needed to be adopted, the need for the annual DEP certification by April 1, and whether the Environmental Commission is working on the educational portion of the DEP requirements.

Mrs. Bonette commented on the March and April VIP articles (for the record, on the Township Administrator's position), and she was sorry that the Mayor was not present tonight to hear her comments, suggesting that he may want to listen to the tape. Mrs. Bonette agrees with the Mayor that the contract for the position was what the Township Committee wanted, and she never said it was illegal. She stated that the article was not an attack, stating that all her facts were public record with information taken from the 2009 contract. She never raised issues

about the evaluation performance, which is a separate issue, and her concern was for the taxpayers and residents.

Terry Ragolia, 200 Wertsville Road, thanked Mr. Tatsch, Deputy Mayor Lenox, and Ms. Gavigan for their help on the Wertsville Road project. She provided specifics about the location of her property, noting the treacherous location of her driveway with steep embankments and problems with having oil deliveries without worries about spills in the waterway, especially in winter. She mentioned that Engineers Glynn and Martin, along with Larry Tatsch, came out to see the site. She felt that if the grade is raised, the water will back up in the waterway and take out her bridge, which is the only access to her house. She invited anyone who was interested to come to see her property, noting that the project has been going on since 2001, and she and her neighbors, the Kellys and the Russos, knew nothing about it until an appraiser came to her house in the fall. She was appreciative of the community's support, including the Amwell Valley Trail Association, and did not believe the project was good for East Amwell Township. She thanked everyone for their support, and she hoped that changes would be made.

Ms. English commented on the Ragolia property as part of the road to her property before Runyon Mill Road existed. Ms. Ragolia commented on the Trail Association usage of her property for 25 years, stating that the horses would not be able to make the incline if the road was changed. She concluded that the project was not for the good of the entire town.

Motion by Mr. Tatsch, seconded by Mrs. Cregar, and it was carried unanimously to close to the public.

Mr. Tatsch mentioned the comments about DCA, noting that the Township is working with other townships, and contract negotiations are taking place in executive session with the hope that a satisfactory resolution can be achieved.

**ADMINISTRATIVE REPORTS**

TREASURER LUHRS presented the bills of the evening and a statement of cash on hand.

Bills of the evening were approved on a motion by Mr. Martin, seconded by Mrs. Cregar, and carried unanimously.

Treasurer's Resolutions

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**RESOLUTION #61-10**

WHEREAS, the Township Committee of the Township of East Amwell acknowledges the continuing requirements of preliminary costs to determine the scope and cost of the proposed acquisition of open space and farmland;

NOW, THEREFORE, BE IT RESOLVED, that the amount of \$10,000.00 shall be appropriated from the Open Space Trust Fund to the Reserve for Preliminary Expenses for the Acquisition of Farmland and Open Space.

By Order of the Township Committee,

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Linda F. Lenox, Deputy Mayor

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**RESOLUTION #62-10**

WHEREAS, it has been determined by the Planning Board of the Township of East Amwell that the following escrow fee can be refunded;

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

Applicant	Amount Refunded
M2 Project Services, Inc.	\$557.85

By Order of the Township Committee,

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Linda F. Lenox, Deputy Mayor

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Motion by Mr. Martin, seconded by Mrs. Cregar, and carried unanimously to approve the resolutions.

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**RESOLUTION #63-10**  
(as attached to the original set of minutes)

By Order of the Township Committee,

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Linda F. Lenox, Deputy Mayor

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Motion by Mrs. Cregar, seconded by Mr. Tatsch, and carried unanimously for the resolution to amend the temporary budget.

All other administrative reports were noted for the record. Some members of the governing body did not receive the electronic version of the Road Activities Report; the Clerk will check with staff about this.

**CORRESPONDENCE**

A resolution in support of designating May as Older American's Month was suggested.

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**RESOLUTION #64-10**

WHEREAS, the month of May is traditionally designated and observed throughout the nation as Older Americans Month; and

WHEREAS, the 2010 theme is "Older Americans: Age Strong! Live Strong!," in honor of older Americans; and

WHEREAS, East Amwell Township recognizes the contributions older Americans have made to our families, our communities, and our nation; and

WHEREAS, older Americans remain active and productive, volunteering their time, talents and expertise, thereby enriching all of our lives;

NOW, THEREFORE, BE IT RESOLVED, that East Amwell Township does hereby proclaim the month of May as Older Americans Month and calls upon individuals and entities to honor and celebrate the outstanding contributions of East Amwell Township's older residents.

By Order of the Township Committee,

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Linda F. Lenox, Deputy Mayor

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Motion by Mrs. Cregar, seconded by Mr. Tatsch, and carried unanimously to approve the resolution.

Committee members spoke about attending the April 16, 2010 Political Science Class at Hunterdon Central High School.

**ADJOURNMENT**

There being no further business, motion by Mr. Martin, seconded by Mr. Tatsch, and it was carried unanimously to adjourn the meeting at 10:53 p.m.

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Teresa R. Stahl, RMC/CMC  
Municipal Clerk