

The regular meeting of the East Amwell Township Committee was called to order at 7:30 p.m. Present were Mayor Peter Kneski, Deputy Mayor Linda F. Lenox (until 8:47 p.m.), and Committee members Patricia Cregar and C. Larry Tatsch. Committee member Timothy Martin was absent. Township Administrator Timothy Matheny and Attorney Richard Cushing 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 May 11, 2010.

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

**SPECIAL RECOGNITION OF DAVID L. CARTER, FORMER TOWNSHIP COMMITTEE MEMBER**

Mayor Kneski called for a moment of silence in recognition of former Township Committee member David L. Carter, who passed away earlier in the month. He was a long time resident of the Township and was involved in many programs.

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**RESOLUTION # 67-10**

**RESOLUTION EXPRESSING SYMPATHY ON THE DEATH OF DAVID L. CARTER**

WHEREAS, David L. Carter, who was a resident of East Amwell Township since 1983, was a known leader of this community, widely regarded for working effectively with colleagues and constituents alike; and

WHEREAS, David served on the East Amwell Planning Board as an Alternate from 1996 through 1998, thereafter moving up to a regular seat from 1999 to 2002, involved heavily in planning regulations and strategies to keep East Amwell a rural, environmentally sensitive area; and

WHEREAS, David held office as an East Amwell Township Committee member, serving from 2003 through 2005, and helping to mold the Township through appropriate legislation and decision making, including but limited to, being instrumental in the development of the Farmland/Open Space Preservation Committee, supporting the natural resource protection of the Sourland Mountain Region by adopting the zoning ordinance for the Sourland Mountain District; supporting the adoption and implementation of the Stormwater Management Plan and Ordinance; and researching and establishing the position of Township Administrator; and

WHEREAS, David, along with his wife, Hope, were true supporters of the preservation efforts of East Amwell Township, in fact, working diligently with D & R Greenways to preserve easements and to protect the environmentally sensitive nature of their Sourland property; and

WHEREAS, those who met David were touched by his professionalism, his gentlemanly manner, his strong values, his ability to serve the public across political lines, and his dedication to the Township, all of which have benefited the community tremendously;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby mourn the loss of David L. Carter as one of the Township's dedicated leaders, and they wish his family their heartfelt sympathy.

By Order of the Township Committee,

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Peter Kneski, Mayor

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Mr. Tatsch made the motion to approve the resolution, adding that he had known David for a number of years, he agreed that David “was a gentleman and a nice person, and (he) was saddened to hear about David’s passing.” Mrs. Cregar seconded the motion, and it was carried unanimously.

### AGENDA REVIEW

An addendum to the agenda was provided by the Clerk, with the following changes: Move Item 4 Listed under Township Administrator’s Update to Item A under Special Discussions, Contract With Raritan Township for Uniform Code Enforcement, Including Resolution; Under Item E, Award of 2010 M & R Materials Contract, add a 5/12 Letter and Spread Sheet from Engineer O’Neal and the 5/13 Email from Attorney Kopen Recommending Award of Contracts. Also see 5/13 Certification of Funds from Treasurer Luhrs for bid awards. Under Township Administrator’s Update, add the 5/12 Letter from Richard McManus on Retirement and a New Item 13, 5/11 Request from Assessor Busher for a substitute attorney appointment for the Hunterdon Storage Tax Appeal. Under New Business, Item C, Resolution to Enter Executive Session will also include Discussion on Possible Litigation and Litigation.

New Correspondence included the following: 5-11 Attorney Cushing Letter to East Amwell Bridge Committee; 5/11 Hunterdon County Engineer’s Construction Schedule for Bridge E-166 on Wertsville Road; 4/30, NJ DEP, Freshwater Wetlands/Flood Hazard Area Permits for Culvert Replacement on Route 602/Wertsville Road – Permit on File in Clerk’s Office

### ANNOUNCEMENTS

A. The Township Committee introduced the 2010 Budget at a special meeting on April 26, 2010. Copies are available from the Clerk or on line at [www.eastamwelltownship.com](http://www.eastamwelltownship.com). The public hearing and adoption is scheduled for a special meeting to be held on Thursday, May 27, 2010, at 7:30 p.m. at the municipal building; the public is invited to comment.

B. The Recreation Committee will sponsor a Yoga Class on Saturday, May 15, from 9:30 a.m. – 11:00 p.m. at the municipal building for adults 18 and older.

C. The Environmental Commission will hold a plant exchange on Saturday, May 22, 2010 from 9 a.m. – noon at the municipal lot. Bring a plant, get a plant, or purchase one for \$1.00.

D. Municipal Offices will be closed on Monday, May 31, 2010, in observance of Memorial Day.

E. Primary Elections will be held on Tuesday, June 8, 2010. All polls are located at the East Amwell Township municipal building, and the polls are open from 6 a.m. – 8 p.m.

### APPROVAL OF MINUTES

April 8, 2010, Special Minutes (Interview) were approved on a motion by Mrs. Cregar, seconded by Mr. Tatsch, and carried with one abstention, Mayor Kneski.

April 8, 2010, Regular Minutes were approved on a motion by Deputy Mayor Lenox, seconded by Mr. Tatsch, and carried with one abstention, Mayor Kneski.

April 8, 2010, Executive Minutes (Litigation; Potential Litigation; Contracts; Personnel; Advice from Township Attorney) were approved on a motion by Deputy Mayor Lenox, seconded by Mrs. Cregar, and carried with one abstention, Mayor Kneski.

April 15, 2010, Special Minutes (Budget) were approved on a motion by Mr. Tatsch, seconded by Deputy Mayor Lenox, and carried unanimously.

April 26, 2010, Special Minutes (East Amwell Township School) were approved on a motion by Deputy Mayor Lenox, seconded by Mr. Tatsch, and carried with one abstention, Mrs. Cregar.

April 26, 2010, Special Minutes (Introduction of Budget, Capital Ordinances) were approved on a motion by Mr. Tatsch, seconded by Deputy Mayor Lenox, and carried with one abstention, Mrs. Cregar.

April 26, 2010, Executive Minutes (Contracts) were approved on a motion by Mr. Tatsch, seconded by Deputy Mayor Lenox, and carried with one abstention, Mrs. Cregar.

Mrs. Cregar commended the Clerk on the minutes.

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

The meeting was opened to the public for comments. There being no comments, motion by Deputy Mayor Lenox, seconded by Mrs. Cregar, and it was carried unanimously to close to the public.

**INTRODUCTION OF ORDINANCES**

**A. ORDINANCE 10-09: AN ORDINANCE TO AMEND ARTICLE II OF CHAPTER 120 OF THE CODE OF EAST AMWELL TOWNSHIP CONCERNING RECYCLING**

The Clerk noted that this is a mandatory ordinance from the state and county. A phone call from the Hunterdon County Utilities Authority indicates that it is a general ordinance; however, when the municipality re-adopts their Master Plan, the Solid Waste Plan should be part of it. Additionally, the land management ordinance may need to be revised to address the recycling collections on subdivisions/site plans. Mayor Kneski mentioned receiving periodic updates from Committee Member Martin.

Mr. Tatsch questioned the section on page five and six on curbside collection recycling procedures and source separation; he reminded the governing body that he brought this concern up at a previous meeting. Raritan Valley Disposal (RVD) services a large part of the municipality and allows co-mingling of material; he suggested that the appropriate authority on this should be the collection agency, not the Recycling Committee. Mr. Cushing commented on the governmental authority to set the regulations, not the private enterprise. Some discussion took place about introducing the ordinance, checking with the Recycling Committee on a small language change, the necessity to introduce the ordinance now in time to adopt by the County’s deadline, and whether this item would be a “minor change.” The conclusion was that an added phrase would be added to line 3 and line 5, of section B, Curbside collection after the words Recycling Committee, i.e., “with input from the curbside collection service.”

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**ORDINANCE #10-09**

**AN ORDINANCE TO AMEND ARTICLE II OF CHAPTER 120 OF THE CODE OF EAST AMWELL TOWNSHIP CONCERNING RECYCLING**

**WHEREAS**, amendments to Article II of Chapter 120 of the Code of the Township of East Amwell concerning recycling are needed to make it consistent with the Hunterdon County Solid Waste Management Plan Amendment (hereinafter “County Plan”); and

**WHEREAS**, the Mayor and Township Committee have determined to make such amendments to comply with the updated County Plan;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of East Amwell that Article II entitled “Recycling” of Chapter 120 entitled “Solid Waste” of the Township Code be repealed in its entirety and a new Article II be created to read as follows:

**ARTICLE II**

### Recycling

#### § 120-5. Definitions and word usage.

A. As used in this article, the following terms shall have the meanings indicated:

DESIGNATED RECYCLABLE MATERIALS – means those materials designated within the Hunterdon County District Solid Waste Management Plan to be source separated for the purpose of recycling. These materials include:

#### DESIGNATED RECYCLABLE MATERIALS FOR THE GENERATORS OF RESIDENTIAL, COMMERCIAL, INDUSTRIAL and INSTITUTIONAL WASTE:

1. Corrugated - Containers and similar paper items usually used to transport supplies, equipment parts or other merchandise.
2. Mixed Office and Computer Paper - Any and all types of "office-type" paper including, but not limited to: computer paper, hi-grade white paper, typing paper, copier paper, onion-skin, tissue paper, notepad, envelopes, manila folders and colored paper, or any mix thereof.
3. Newspaper - All paper marketed as newsprint or newspaper and containing at least 70% newsprint or newspaper (American Forest and Paper Association grades #6, #7 and #8 news).
4. Other Paper/Magazines/Junk Mail - All paper, which is not defined, as corrugated, mixed office paper, computer paper or newspaper.
5. Glass Containers - All glass containers used for packaging food or beverages.
6. Aluminum Cans - Food and beverage containers made entirely of aluminum.
7. Steel Cans - Rigid containers made exclusively or primarily of steel or tin-plated steel and steel and aluminum cans used to store food, beverages, and a variety of other household and consumer products.
8. Plastic Containers - Containers including polyethylene terephthalate (PETE - #1) soda bottles, high-density polyethylene and (HDPE - #2) milk, water or detergent and others designated by current Township and County recycling policy.

#### ADDITIONAL DESIGNATED RECYCLABLE MATERIALS FOR THE GENERATORS OF COMMERCIAL, INDUSTRIAL and INSTITUTIONAL WASTE:

1. White Goods and Light Iron - All appliances such as washers, dryers, refrigerators, etc. as well as products made from sheet iron, such as shelving, file cabinets, metal desks, recycled or reconditioned steel drums and other non-structural ferrous scrap.
2. Anti-freeze - All automotive engine coolant consisting of a mixture of ethylene glycol and water or propylene glycol and water.
3. Batteries, Lead-Acid - Batteries from automobiles, trucks, other vehicles and machinery and equipment. THIS DOES NOT INCLUDE CONSUMER BATTERIES.
4. Used Motor Oil - petroleum-based or synthetic oil which, through use, storage or handling, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties.
5. Tires - Rubber-based scrap automotive, truck or specialty (e.g. forklift) tires. The tires must be recycled at a facility approved by the New Jersey Department of Environmental Protection.

#### DESIGNATED RECYCLABLE MATERIALS FROM GENERATORS OF RESIDENTIAL WASTE THAT ARE COLLECTED BY HUNTERDON COUNTY AND OTHER LICENSED MUNICIPAL SOLID WASTE COLLECTORS:

1. Anti-freeze - All automotive engine coolant consisting of a mixture of ethylene glycol and water or propylene glycol and water.
2. Batteries, Lead-Acid - Batteries from automobiles, trucks, other vehicles and machinery and equipment. THIS DOES NOT INCLUDE CONSUMER BATTERIES. (See#21).

3. Used Motor Oil - petroleum-based or synthetic oil which, through use, storage or handling, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties.
4. Batteries, Household - Any type of button, coin, cylindrical rectangular or other shaped enclosed device or sealed container which was utilized as an energy source for commercial, industrial, medical, institutional or household use. THIS DOES NOT INCLUDE LEAD ACID BATTERIES FROM VEHICLES.
5. Mercury Containing Devices – Fluorescent and compact fluorescent tubes (CFT's), High Intensity Discharge (HID) and neon lamps, electrical switches, thermostats and any batteries containing mercury.
6. Petroleum Contaminated Soil - Non-hazardous soils containing petroleum hydrocarbons resulting from spills, leaks or leaking underground storage tanks used for gasoline or any other commercial fuel and which are recycled in accordance with the requirements of N.J.A.C. 7:26A-1.1 et seq. NOTE: This material can be recycled at "Class B" facilities (for example, authorized asphalt manufacturers).

**MUNICIPAL RECYCLING COORDINATOR** – means the person or persons appointed by the municipal governing body and who shall be authorized to, among other things, enforce the provisions of this Ordinance, and any rules and regulations which may be promulgated hereunder;

**MUNICIPAL SOLID WASTE (MSW) STREAM** – means all solid waste generated at residential, commercial, and institutional establishments within the boundaries of the municipality of East Amwell Township;

**RECYCLABLE MATERIAL** – means those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;

**RESIDENTIAL PROPERTY** - means any building or structure, or complex of buildings in which less than three dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see NJSA 13:1E-99.13a.).

**RESIDENTIAL COMPLEX** - means any building or structure, or complex of buildings in which three or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see NJSA 13:1E-99.13a.) and shall include hotels, motels, or other guest houses serving transient or seasonal guests as those terms are defined under subsection (j) of section 3 of the "Hotel and Multiple Dwelling Law," P.L. 1967, c. 76 (C.55: 13A-1 et seq.);

**SOURCE-SEPARATED RECYCLABLE MATERIALS** – means recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

**SOURCE SEPARATION** – means the process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling.

- B. Unless otherwise defined herein, certain words or terms used in this article shall have the same meaning as such words or terms have in the New Jersey Statewide Mandatory Source Separation and Recycling Act, as amended (N.J.S.A. 13:1E-9.11 et seq.).

**§ 120-6. Municipal Recycling Coordinator.**

- A. In order to carry out the requirements of the New Jersey Mandatory Source Separation and Recycling Act ("Act") and the Hunterdon County Recycling Plan ("Plan"), the position of Municipal Recycling Coordinator is hereby established, to be responsible for compliance with said Act, Plan and applicable Township regulations.
- B. The responsibilities of the coordinator, in cooperation with the Recycling Committee, shall include, but not be limited to, developing and implementing regulations hereunder.

- C. The Recycling Coordinator shall be appointed by the Township Committee and shall serve for a one-year term, effective January 1 of the year of appointment, at a salary to be determined by ordinance of the Township.
- D. The Recycling Coordinator will report to the Township Committee and/or the Township Administrator at least once annually on the status of the Municipal Recycling Program, and shall from time to time advise and make recommendations as to how the requirements set forth in this ordinance may be effectuated.
- E. The Municipal Recycling Coordinator in cooperation with the Recycling Committee shall promote the Municipal Recycling Program by educating citizens, businesses, institutions, and organizations of the need to participate in the Municipal Recycling Program and shall explain to citizens, businesses, institutions and organizations the provisions of the mandatory recycling ordinance and assist in the enforcement thereof.

**§ 120-7. Recycling Committee.**

**A. Membership.**

- 1. There is hereby established a Recycling Committee in the Township of East Amwell. Membership on this Committee shall consist of the following:
    - a. The Recycling Coordinator.
    - b. The Township appointee to the County Solid Waste Advisory Council (SWAC) with voting privileges.
    - c. A member of the Township Committee.
    - d. A member or the Secretary of the Township Environmental Commission.
    - e. Seven members at-large.
    - f. One or more youth members, nonvoting.
  - 2. All members shall be appointed by the Township Committee. The Recycling Coordinator will serve as established in § 120-6; the SWAC member will be *ex officio*, and the members of the Township Committee and Environmental Commission shall serve for one-year terms. Four at-large members shall be appointed to two-year terms, and three at-large members shall be appointed for two-year terms. Thereafter, the terms of all at-large members shall be for two years. Youth members shall serve one-year terms. A quorum shall be composed of the majority of the voting members..
- B.** The Recycling Committee is hereby authorized and directed to establish and promulgate, subject to approval by the Township Committee, reasonable regulations as to the selection and designation of recyclable materials to be source separated in accordance with the article, state law and any applicable district recycling plan and to establish the manner, methods and programs for the collection and disposition of designated recyclable materials in accordance with the provisions thereof. Such regulations as may be promulgated under this article may be changed, modified, amended or repealed by the Recycling Committee, subject to the approval of the Township Committee.
- C.** The Recycling Committee shall make reasonable efforts to publicize its regulations and to keep the public informed about all possibilities to participate in the recycling effort.
- D.** The Recycling Committee, through the Municipal Recycling Coordinator, shall report annually to the Township Committee on the status of the recycling program, provide a summary of the recycling activity of the past year, and project the recycling operations planned for the coming year. This will include an annual report to be delivered to the Township Committee.

**§ 120-8. Recycling Procedures and Source Separation.**

- A. Mandatory source separation; preparation of designated recyclables. From and after the date fixed by regulations promulgated by the Recycling Committee, and approved by the Township Committee, in accordance with the provisions hereof, it shall be mandatory for all persons who are owners, tenants or occupants of residential or nonresidential premises located within the Township of East Amwell to separate designated recyclable material from all other solid waste produced by the residential or nonresidential premises occupied by such persons and to prepare such designated recyclable materials for curbside collection or drop off at a recycling center to be designated by the Township, or for separate disposition as provided under § 120-11 and § 120-18 of this article.
- B. Curbside collection. Each type of designated recyclable material shall be kept separate and apart from any other type of recyclable material (unless otherwise designated by the Recycling Committee with input from the curbside collection service), and from other solid waste generated by the premises, and shall be placed at the curb by the residential premises in a manner and on such days and at such times as may be hereinafter established by regulations promulgated by the Recycling Committee with input from the curbside recycling service. The occupier of the premises is responsible to make sure containers are accessible for collection purposes. Every owner and/or occupant of residential or nonresidential premises must contract with a private contractor for the removal and disposition of designated recyclable materials as set forth in this ordinance. Residential recycling contracts must comply with the provisions of this Section and must further provide for not less than monthly pick-up.
- C. Drop off at designated Township recycling area or county or state facility. Each type of designated recyclable material to be dropped off at a recycling area pursuant to regulations adopted under this article should be kept separate and apart from any other type of recyclable material (unless otherwise designated by the Recycling Committee), and from other solid waste generated by the premises and should be dropped off by the owner or occupier of the premises at the recycling area designated by the Township in a manner and on such days and at such times as may be hereinafter established by regulations adopted under this article.

**§ 120-9. Residential Dwelling Compliance Requirement**

- A. The occupant(s) and owner(s) of any residential property shall be responsible for compliance with this Ordinance. For multifamily units, the management or owner is responsible for setting up and maintaining a recycling system, including collection of recyclable materials, in accordance with guidelines or regulations established by the appropriate municipal office. Violations and penalty notices will be directed to the occupant. In instances where the violator is not easily identifiable, violations and penalty notices will be directed to the owner/management. The owner/management shall issue notification and collection rules to occupants when they arrive and at least twice annually during their occupancy.
- B. Any occupant(s) and/or owner(s) of any residential property failing to abide by the rules and regulations of this section may be fined not less than fifty (\$50.00) dollars nor more than two hundred fifty (\$250.00) dollars for each month of noncompliance. Prior to taking enforcement action pursuant to this section, the Recycling Coordinator or other enforcement officer shall issue one (1) warning to any occupant who is in violation of this section, which warning shall include educational information regarding proper procedures for recycling.

**§ 120-10. Residential Dwelling Complexes Compliance Requirement**

- A. The occupant(s) and owner(s) of any residential property shall be responsible for compliance with this Ordinance. The owner of each residential complex is responsible for providing a recycling depot for the entire complex. The depot shall be equipped with owner or contractor supplied receptacles for each category of designated recyclable material.

- B. Any occupant within a residential complex failing to comply with the requirements of this Ordinance may be fined not less than fifty (\$50.00) dollars nor more than two hundred fifty (\$250.00) dollars for each month of noncompliance.
- C. The owner/management shall issue notification and collection rules to new tenants when they arrive and at least twice annually during their occupancy.
- D. The owner of each residential complex shall report to the Municipal Recycling Coordinator by February 15th of each year on the recycling activity of the prior year. The report shall include the amount of recycled material by material type and the vendor or vendors providing recycling service. The information must be supplied to the Municipal Recycling Coordinator and directed to the attention of the Municipal Recycling Coordinator by name and address. The County must also be copied on this information.
- E. Any owner (or his/her agent) failing to abide by the rules and regulations of this section may be fined up to two hundred fifty (\$250.00) dollars for each month of noncompliance. Prior to taking enforcement action pursuant to this section, the Municipal Recycling Coordinator or other enforcement officer shall issue one (1) warning to the owner which is in violation of this section. The warning shall include educational information regarding proper procedures for recycling including instruction as to how the owner can reasonably provide adequate recycling facilities to ensure compliance with this Ordinance.

**§ 120-11. Non-Residential Establishment Compliance Requirements**

- A. Commercial, industrial and institutional establishments are defined as all entities which operate or conduct any business whatsoever which cannot be included within the definitions of a residential dwelling or complex.
- B. All commercial and institutional generators of solid waste shall be required to comply with the provisions of this Ordinance.
- C. Arrangement for collection of designated recyclables shall be the responsibility of the commercial, institutional or industrial occupant. All commercial, institutional or industrial property owners which provide outdoors litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.
- D. Every occupant of a commercial, industrial or institutional facility or their designee (including solid waste and recycling transporters) shall cooperate in communicating recycling activity. Such communication shall include reporting to the Municipal Recycling Coordinator by February 15th of each year on the occupants recycling activity of the prior year. The report shall include the amount of recycled material by material type and the vendor or vendors providing recycling service. The information must be supplied to the Municipal Recycling Coordinator and directed to the attention of the Municipal Recycling Coordinator by name and address. The County must also be copied on this information.
- E. If the property owner provides recycling collection services for the occupants of the property, the owner or his designee (including solid waste and recycling transporters) shall cooperate in communicating recycling activity. Such communication shall include reporting to the Municipal Recycling Coordinator by February 15th of each year on the recycling activity on the property in the prior year. The report shall include the amount of recycled material by material type and the vendor or vendors providing recycling service. The information must be supplied to the Municipal Recycling Coordinator and directed to the attention of the Municipal Recycling Coordinator by name and address. The County must also be copied on this information.
- F. All food service establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or

cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.

- G. Any commercial, industrial or institutional occupant or owner failing to abide by the rules and regulations of this section may be fined not less than fifty (\$50.00) dollars nor more than one thousand (\$1,000.00) dollars for each month of noncompliance. Prior to taking enforcement action pursuant to this section, the Municipal Recycling Coordinator or other enforcement officer shall issue one (1) warning to any commercial, industrial or institutional establishment which is in violation of this section, which warning shall include educational information regarding proper procedures for recycling.

**§ 120-12. New Developments of Multi-Family Residential Units and Commercial, Institutional, or Industrial Properties.**

- A. Any application to the Planning Board of the Township of East Amwell for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single family developments of 50 or more units or any commercial, institutional, or industrial development for the utilization of 1,000 square feet or more of land, must include a recycling plan. This plan must contain, at a minimum, the following:
1. A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development and
  2. Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the municipal recycling coordinator.
- B. Prior to the issuance of a Certificate of Occupancy by the Township of East Amwell, the owner of any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.
- C. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the municipal engineer.

**§ 120-13. Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials.**

- A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.
- B. It shall be the responsibility of the resident or occupant to properly segregate the uncollected solid waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this article and the local sanitary code.
- C. Once placed in the location for collection, no person, other than those authorized by the Township, shall tamper with, collect, remove, or otherwise handle solid waste or designated recyclable materials.
- D. Any solid waste collector failing to abide by the rules and regulations of this section may be fined not less than fifty (\$50.00) dollars nor more than one thousand (\$1,000.00) dollars. Prior to taking enforcement action pursuant to this section, the Municipal Recycling Coordinator or other enforcement officer shall issue one (1) warning to any commercial,

industrial or institutional establishment which is in violation of this section, which warning shall include educational information regarding proper procedures for recycling.

**§ 120-14. Solid Waste Transporter Requirements**

A. A minimum of once a year or when necessary to reflect program or regulatory modifications, notify all customers

1. What materials are designated to be source separated from solid waste and must be recycled in Hunterdon County and that these items are prohibited in solid waste.
2. That discovery of designated recyclable items in solid waste may result in the waste not being collected and that the generator is subject to a monetary fine.
3. Solid waste transporters are prohibited by law to collect solid waste containing mandated recyclable materials.
4. That documentation of proof of solid waste and recycling collection service must be maintained and that this documentation must be made available to the property owner, municipality or County upon request.

B. No later than February 15 of each year, all solid waste transporters operating in the Township will provide a detailed report of all recycling activities to all commercial and institutional solid waste customers. The report will include a breakdown of the materials collected for recycling, the total weight of each material collected for recycling and the recycling market for each of the materials collected. The information must be supplied to the Municipal Recycling Coordinator and directed to the attention of the Municipal Recycling Coordinator by name and address. The County must also be copied on this information.

C. No later than February 15 of each year, all solid waste transporters operating in the Township will provide the Township and the County with a summary of recycling activity in that municipality including totals of all residential, commercial and institutional recycling. The report will include a breakdown of the materials collected for recycling, the total weight of each material collected for recycling and the recycling market for each of the materials collected. The information must be supplied to the Municipal Recycling Coordinator and directed to the attention of the Municipal Recycling Coordinator by name and address. The County must also be copied on this information.

D. Failure of the solid waste transporter to comply with the provisions of this Amendment to the Solid Waste Management Plan and pertinent municipal recycling ordinance shall constitute a violation and subject the solid waste transporters to those penalties as prescribed in this Article and State recycling regulations.

**§ 120-15. Proof of Provision of Solid Waste and Recycling Collection Services**

Pursuant to N.J.S.A. 40:66-5.1 all residential, commercial, industrial and institutional generators of solid waste must, upon request by the municipality supply proof that solid waste and recycling collection services have been contracted for by the generator. The information requested for proof of service may include provision of weight receipts or billing statements. The procedure for requesting receipts or other documentation will be as set forth in the regulations promulgated by the Recycling Committee and subject to the approval of the Township Committee.

**§ 120-16. Enforcement.**

The Municipal Recycling Coordinator or other person(s) so designated by the governing body are hereby individually and severally empowered to enforce the provisions of this Ordinance. An inspection may consist of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any recyclable material. Each day for which a violation of this Ordinance occurs shall be considered a separate offence.

**§ 120-17. Severability.**

In the event that it is determined, by a Court of competent jurisdiction, that any provision or section of this Ordinance is unconstitutional, all other sections and provisions shall remain in effect. This Ordinance shall take effect immediately, unless otherwise provided by Resolution of the governing body.

**§ 120-18. Ownership of recyclables.**

Recyclable materials presented for collection by the Township of East Amwell, in accordance with the provisions hereof, shall be and become the property of the Township of East Amwell, or its authorized agent. It shall be a violation of this article for any person to collect or pick up or cause to be collected or picked up any such designated presented recyclable materials, except as may be authorized by the Recycling Committee. Each such collection in violation of this article, from one or more residential or nonresidential premises, shall constitute a separate and distinct violation of this article. Nothing herein shall be construed to prohibit an owner, tenant or occupant of any residential or nonresidential premises from donating or selling recyclables to any person or entity, whether operating for profit or not for profit.

**§ 120-19. Effective date of regulations.**

Unless otherwise stated in the regulations when adopted, such regulations as shall be established and promulgated by the Recycling Committee, and changes, modifications, amendments, and repeals thereof, shall become effective 15 days after review and approval by the Township Committee.

**§ 120-20. Franchises or licenses to collect recyclables.**

The Township Committee may, in accordance with the procedures set forth in the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., enter into agreements to grant a franchise or license to qualified persons, partnerships or corporations to authorize them to collect recyclables at curbside or at the recycling area. The Township Committee may, in its discretion, use Township personnel to collect designated recyclable materials at curbside or at the recycling area and sell same pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

**§ 120-21. Leaves.**

Residents are encouraged to allow leaves to degrade naturally on the property on which they are generated. Under the provisions of the Mandatory Source Separation and Recycling Act (N.J.S.A. 13:1E-99.21), leaves are not permitted to be disposed of as waste.

**§ 120-23. Violations and penalties.**

Any person, corporation, or entity who violates or neglects to comply with any provision of this article or any regulation promulgated and adopted hereunder, shall, upon conviction thereof, be punishable by one or more of the following: a fine not to exceed \$1,000, a term of imprisonment of not to exceed 90 days, or a period of community service not to exceed 90 days, except that violation of §120-9, §120-10, §120-11 and §120-13 shall be punishable as provided therein.

**BE IT FURTHER ORDAINED** that if any section, subsection, sentence, clause, phrase or portion of this ordinance is held invalid or unconstitutional for any reason by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such hold shall not affect the validity of the remaining portions hereof.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect upon final passage and publication according to law.

By Order of the Township Committee,

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

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

Introduced: May 13, 2010

Adopted:

+++++
Motion by Mrs. Cregar, seconded by Mr. Tatsch, and it was carried unanimously to approve the introduction of Ordinance 10-09.

The ordinance will be published in the May 20, 2010, issue of the Hunterdon County Democrat, and the public hearing is set for the regular Township Committee meeting on June 10, 2010, at 7:30 p.m.

B. ORDINANCE 10-10: THE 2010 SALARY AND WAGE SCHEDULE

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ORDINANCE 10-10 THE 2010 SALARY AND WAGE SCHEDULE

BE IT ORDAINED by the Township Committee of 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 2010.

SALARIED:

Table with 2 columns: Position and Salary Range. Includes Mayor (\$3,473), Township Committee members (\$3,015), Township Administrator (\$50,210 - \$54,514), Tax Assessor (\$24,158 - 32,699), Tax Collector (\$27,569 - 37,350), Treasurer/CFO (\$25,932- 34,699), Municipal Clerk (\$39,098 - 53,700), Payroll Clerk (\$1,776 - 3,524), Zoning Officer (\$11,417 - 12,492), Construction Official (\$23,932 - 32,699), Electrical Subcode Official (\$10,514 - 15,194), Plumbing Subcode Official (\$7,019 - 9,922), Fire Protection Subcode Official (\$5,271 - 7,611), Magistrate - East Amwell's 1/2 share (\$8,372 - 8,964), Court Administrative Officer - 1/2 share (\$18,097 - 24,524), Director of Public Assistance (\$2,001 - 2,932), Public Defender (\$958 - 1,297), Prosecutor (\$10,684 - 11,445), DPW Superintendent (\$66,425 - 72,686), COAH Municipal Housing Liaison (\$7,946 - 8,694), Animal Control Officer (\$7,000 - \$11,000).

HOURLY:

Table with 2 columns: Position and Hourly Rate. Includes Alternate Zoning Officer (\$35.00/hour), DPW Supervisor (\$21.14 - 28.19), DPW Employee (\$17.50 - 25.93), Extra DPW Employee, temporary as necessary (\$8.17 - 20.30), Grounds Maintenance (\$8.17 - 17.76), Deputy Clerk (\$15.79 - 22.27), Board of Health Administrative Officer (\$15.22 - 25.93), Construction Secretary (\$15.22 - 21.14), Office Assistant/Road Dept. Secretary (\$14.09 - 20.01), Assistant Tax Collector (\$14.09 - 20.01), Assistant Treasurer (\$15.22 - 25.93), Recycling Coordinator (\$9.58 - 20.01).

Planning Board Administrative Officer	\$ 15.22 - 25.93
Board of Adjustment Administrative Officer	\$ 15.22 - 25.93
Zoning Secretary	\$ 9.58 - 20.01
Deputy Court Administrator - East Amwell's 1/2 share	\$ 9.58 - 11.84
Environmental Commission Secretary	\$ 9.58 - 20.01
COAH Housing Inspector	\$ 35.00
Farmland/Open Space Administrator	\$ 15.79 - 22.27
Farmland/Open Space Recording Secretary	\$ 9.58 - 20.01
Recreation Committee Secretary	\$ 9.58 - 20.01
Rabies Clinic - Secretarial	\$ 20.00
Secretarial Services	\$ 9.58 - 20.01
Agricultural Advisory Secretary	\$ 9.58 - 20.01
Historic Preservation Secretary	\$ 9.58 - 20.01

BOARD OF HEALTH FEES:

A. Witnessing Service up to 2 hours	\$ 50.00
B. Witnessing Service more than 2 hours, up to 8 hours in one day	\$120.00
C. Witnessing Service after 8 hours in one work day - (8 AM - 4 PM) for each hour or fraction of hour	\$ 25.00
D. Surcharge for Saturday or Sunday	\$100.00

OTHER:

Fire Subcode Official or Substitute - Smoke Detector Inspection	\$ 25.00
4 Summer Playground Directors (per week)	\$ 187 - \$263
Dog Census Taker(s)	\$325.00 plus \$500.00 for mileage per district

SUBSTITUTES

Substitute Construction Official	\$ 24.00
Substitute Electrical Inspector	\$ 24.00
Substitute Plumbing Inspector	\$ 24.00
Substitute Fire Code Inspector (except for Smoke Detector Inspections)	\$ 24.00
Substitute Secretarial Services for Board/Committee Meetings	Current Hourly Rate or \$16/hour, whichever is higher

SECTION TWO: This ordinance shall be become effective upon publication, according to law.

By Order of the Township Committee,

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

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

Introduced: May 13, 2010

Adoption:

++++  
Motion by Mr. Tatsch, seconded by Deputy Mayor Lenox, and it was carried unanimously to approve the ordinance for introduction.

The ordinance will be published in the May 20, 2010, issue of the Hunterdon County Democrat, and the public hearing is scheduled for the regular Township Committee meeting on June 10, 2010, at 7:30 p.m.

The 2010 Salary and Wage Resolution by Name of Employee was offered for approval.

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**RESOLUTION #67A-10**

BE IT RESOLVED by the Mayor and Township Committee of the Township of East Amwell that the salaries and compensation for 2010 employees shall be as follows:

<u>Position</u>	<u>Salary/Compensation</u>
Mayor Kneski	\$ 3,473
Township Committee Members Lenox, Cregar, Martin, Tatsch	3,015/each
Township Administrator Matheny	54,080
Tax Assessor Busher	29,317
Tax Collector Hyland	33,500
Treasurer/CFO Luhrs	30,988
Municipal Clerk Stahl	50,127
Payroll Clerk Stahl	2,334
Zoning Officer McManus	11,955
Magistrate Petronko - East Amwell's ½ share	8,654
Court Administrative Officer Hooven- ½ share	21,829
Director of Public Assistance Kuhl	2,513
Public Defender Weinstein	1,083
Prosecutor Ballard	11,046
DPW Superintendent Kadezabek	69,555
COAH Municipal Housing Liaison Robbins	8,320
Alternate Zoning Officer Miller	35.00/hour
DPW Employee Adamow	20.02/hour
DPW Employee Silverthorn	20.02/hour
DPW Employee Hepler	19.00/hour
Deputy Clerk Fritsch	18.46/hour
Board of Health Administrator Officer Fritsch	19.80/hour
Acting Construction Secretary Dymek	18.71/hour
Office Assistant & Road Department Secretary Dymek	17.19/hour
Assistant Tax Collector Dymek	17.19/hour
Assistant Treasurer Andrews	17.52/hour
Recycling Coordinator Corboy	15.70/hour
Planning Board Administrative Officer Andrews	19.92/hour
Board of Adjustment Administrative Officer Andrews	19.92/hour
Zoning Secretary Andrews	17.52 hour
Agricultural Advisory Secretary Rosikiewicz	11.68/hour
Deputy Court Administrator Augustine – ½ share	10.00/hour
Environmental Commission Secretary Corboy	15.70/hour
COAH Housing Inspector Doddy	35.00/hour
Farmland/Open Space Administrator Conard	19.96/hour
Farmland/Open Space Preservation Recording Secretary Pittore	12.84 /hour
Recreation Committee Secretary Rosikiewicz	12.26/hour
Rabies Clinic Secretarial Staff	20.00/hour
Historic Preservation Secretary Pittore	12.84/hour
Summer Playground Directors Scott, Hyatt, Loveland & Bowman	231.00/weekly
Board of Health Witness Wang Iverson	
Up to 2 hours	50.00
More than 2 hours, up to 8 in one day	120.00
Over 8 hours, for each hour or fraction of hour	25.00
Surcharge for Saturday or Sunday	100.00
Fire Subcode Official Ball or Substitute Izzo - Smoke Detector Inspections	25.00 per inspection
Substitute Construction Official Ball	24.00/hour
Substitute Electrical Inspector Buchanan	24.00/hour
Substitute Mechanical Inspector Fornaciari	24.00/hour
Substitute Fire Code, Mechanical, Construction, and Plumbing Inspector Izzo	24.00/hour

Substitute Secretarial and/or  
Substitute Secretarial Services for Board/Committee Meetings Current Hourly Rate  
Or \$16.00, whichever  
is higher

BE IT FURTHER RESOLVED that salaries will be effective upon adoption and publication of the 2010 Salary & Wage Ordinance.

By Order of the Township Committee,

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

++++  
Motion by Deputy Mayor Lenox, seconded by Mrs. Cregar, and it was carried unanimously to approve the resolution.

C. ORDINANCE 10-11: AN ORDINANCE AMENDING CHAPTER 66, CONSTRUCTION CODES, UNIFORM, OF THE CODE OF THE TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY, TO DESIGNATE THE CONSTRUCTION DEPARTMENT OF THE TOWNSHIP OF RARITAN, HUNTERDON COUNTY, AS EAST AMWELL'S STATE UNIFORM CONSTRUCTION CODE ENFORCEMENT AGENCY

Mr. Matheny explained that with the intent to outsource the Construction Department, the Department of Community Affairs (DCA) requires that the fees ordinance matches Raritan Township as part of the shared service agreement. Raritan Township changed their fees last fall, and East Amwell changed fees about a year ago, so there "is nothing dramatic."

Mr. Matheny continued by stating that the ordinance is inter-related with the inter-local agreement. The agreement is ready to sign, and there is a resolution to accompany it, but the agreement cannot take effect until the fees match.

Discussion was held on the adoption date of the ordinance, i.e., if the ordinance is adopted on June 10, publication and effective date would be June 17. The Township Committee could hold a special meeting a week earlier and adopt earlier. Mr. Matheny explained that the budget includes Construction Department expenses through the end of June. He further noted that the employees are aware of proposed changes, and they will receive adequate notice. Mayor Kneski commented on dovetailing the Construction Department changes with the budget. The conclusion was that a special meeting will be held on Thursday, June 3, 2010, at 7:30 p.m. to adopt the ordinance.

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ORDINANCE # 10-11

AN ORDINANCE AMENDING CHAPTER 66, CONSTRUCTION CODES, UNIFORM, OF THE CODE OF THE TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY, TO DESIGNATE THE CONSTRUCTION DEPARTMENT OF THE TOWNSHIP OF RARITAN, HUNTERDON COUNTY, AS EAST AMWELL'S STATE UNIFORM CONSTRUCTION CODE ENFORCEMENT AGENCY

**WHEREAS**, the Mayor and Township Committee have determined that services related to the enforcement of the State Uniform Construction Code ("the Code") will be more effectively and efficiently delivered if the Township's Construction Department is eliminated and the Township enters into a shared services agreement with Raritan Township for interlocal enforcement of the Code;

**WHEREAS**, *N.J.A.C. 5:23-4.17(e)* requires that a shared services agreement for Code administration and enforcement services include that there shall be one uniform fee schedule applied by each party to the agreement; and

**WHEREAS**, certain changes are required to the East Amwell Township fee schedule to conform it to the Raritan Township fee schedule;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of East Amwell in the County of Hunterdon, State of New Jersey, that

1. Section 66-1 entitled "Enforcement Agency" of Chapter 66 entitled "Construction Codes, Uniform" of the Code of the Township of East Amwell is amended to read as follows:

§66-1. Enforcement agency.

A. The Township of East Amwell hereby designates the Construction Department of the Township of Raritan, Hunterdon County as the East Amwell Construction Code Enforcement Agency consisting of the following officials to be employed by the Township of Raritan:

1. Construction Official
2. Building Subcode Official
3. Plumbing Subcode Official
4. Electrical Subcode Official
5. Fire Subcode Official
6. Properly licensed inspectors and other subcode officials as determined by the Township of Raritan

B. The public shall have the right to do business with the enforcement Agency at the Township of Raritan Construction Department in Raritan Township except for emergencies and unforeseen or unavoidable circumstances.

2. Section 66-2 entitled "Fee Schedule" of Chapter 66, entitled "Construction Codes, Uniform" of the Code of East Amwell Township is amended to read as follows:

§66-2. Fee schedule.

The basic construction fee shall be the sum of the parts computed on the basis of the volume or the cost of construction (as specified below), the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and devices and the number of sprinklers, standpipes, and detectors (smoke and heat) as the unit rates provided herein plus any special fees. Fees shall be paid before the permit is issued.

A. Building fees:

- (1) For new construction of all farm buildings the fee shall be \$0.01 per cubic foot of building or structure volume. For all other new construction the fee shall be \$0.035 per cubic foot of building or structure volume, up to and including 500,000 cubic feet, and \$0.02 per cubic foot of building or structure volume in excess of 500,000 cubic feet, provided that the minimum fee in all cases shall be \$50.
- (2) For renovations, alterations and repairs, \$30 per \$1,000 of estimated cost of the work, up to and including \$50,000. Above \$50,000, the additional fee shall be \$23 per \$1,000 of the estimated cost above \$50,000, provided that the minimum fee in all cases shall be \$50.
- (3) For additions, \$0.035 per cubic foot of building or structure volume for the added portion, provided that the minimum fee shall be \$50.
- (4) For combinations of renovations and additions, the fees will be computed separately as renovations and additions.
- (5) The fee for roofing and siding work completed on residential structures shall be a set fee of \$50. The fee for roofing and siding work completed on commercial structures shall be \$30 per \$1,000 of estimated cost.

B. Plumbing fixtures and equipment. The fees shall be as follows:

- (1) The plumbing subcode fee shall be \$13 per plumbing fixture, device and plumbing stack to be installed. The minimum fee shall be \$50. Grease traps or oil separators shall be an additional \$75 for each such device provided that the

minimum fee shall be \$50. Gas piping, oil piping, water heaters, steam boilers, hot water boilers, water-cooled air-conditioning or refrigeration units, and sewer and water connections shall be a additional \$75 for each such device.

C. The electrical subcode fees shall be as follows:

- (1) The minimum fee in all cases shall be \$50.
- (2) Receptacles and fixtures: \$50 for the first 50; \$8 for each additional 25.
- (3) Motors and electrical devices: over one horsepower and up to 10 horsepower, \$13; over 10 horsepower and up to 50 horsepower, \$58; over 50 horsepower and up to 100 horsepower, \$116; over 100 horsepower, \$576.
- (4) Transformers, generators: over one kilowatt and up to 10 kilowatts, \$13; over 10 kilowatts and up to 45 kilowatts, \$58; over 45 kilowatts and up to 112.5 kilowatts, \$116; over 112.5 kilowatts, \$576.
- (5) Service panels, entrances and subpanels: up to 200 amperes, \$58; over 200 amperes and up to 1,000 amperes, \$116; over 1,000 amperes, \$576.
- (6) The fee charged for electrical work for each permanently installed private swimming pool as defined in the building subcode, spa, hot tub, or fountain shall be a flat fee of \$70 which shall include any required bonding, and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles, and heaters, etc., excepting panelboards and underwater lighting fixtures. For public swimming pools, the fee shall be charged on the basis of number of electrical fixtures and rating of electrical devices involved.

D. Fire protection devices and hazardous equipment, sprinklers, standpipes, detectors (smoke and heat), preengineered suppression systems, gas-and oil-fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums: The fire protection subcode fees shall be in accordance with the fee schedule as established by the State of New Jersey pursuant to N.J.A.C. 5:23-4.20(c)(2)(iv).

- (1) Sprinklers: installation of up to 20 heads, \$82; installation of 21 to 100 heads, \$150; installation of 101 to 199 heads, \$250; installation of 200 to 400 heads, \$700; installation of 401 to 1,000 heads, \$1,000; installation of over 1,000 heads, \$1200.
- (2) Standpipe fees: \$250.
- (3) Fire alarm devices; smoke and heat detectors: installation of 1 to 12, \$50; each additional 25 detectors, \$12.
- (4) Fire suppression systems. The fee for each independent preengineered system shall be \$100; the fee for each gas- or oil-fired appliance that is not connected to the plumbing system shall be \$50; the fee for each crematorium shall be \$365; the fee for each incinerator shall be \$365; the fee for each kitchen exhaust system shall be \$50.

E. The fee for plan review shall be 20% of the amount to be charged for the construction permit. The amount paid for this fee shall be credited toward the amount of the fee to be charged for a construction permit.

F. The fee for a permit for demolition of a building or structure shall be \$65.

G. The fee for a permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be \$65 for residential and \$95 for all others.

H. The fee for a permit to construct a sign shall be a flat fee of \$3 per square foot of the surface area of the sign. In the case of double-faced signs, the area of the surface of only one side of the sign shall be used for purposes of the fee computation.

I. Certificate of occupancy fees shall be as follows:

- (1) The fee for certificates of occupancy for new construction shall be computed as 10% of the construction permit. The minimum fee shall be \$35.00.
- (2) The fee for a certificate of continued occupancy shall be \$150 (N.J.A.C. 5:23-2.23(c)).

- (3) The fee for a certificate of occupancy granted pursuant to change of use shall be \$150.
- (4) The fee for a multiple certificate of occupancy shall be \$35 per unit.
- (5) The fee for a certificate of occupancy for additions to residences less than 4,000 cubic feet shall be \$35.
- (6) The fee for the first issuance and the renewal of a temporary certificate of occupancy shall not exceed \$35. Exception: There shall be no fee for the first issuance of the temporary certificate of occupancy, provided the certificate of occupancy fee is paid at that time.
- (7) Where a written request for a temporary certificate of occupancy is made for reasons other than incomplete work covered by the permit (such as prior approvals from state or municipal agencies), the duration of the temporary certificate of occupancy shall be reasonably consistent with the time required for compliance with the conditions of the prior approval.
- (8) The fee for certificates of occupancy and inspections mandated as limitation under N.J.A.C. 5:23-2.23(i) shall be \$35 covering yearly on-going inspections and new certificates of occupancy.

J. Permits and inspections for the installation of elevators must be obtained from the Department of Community Affairs.

K. Tents. The fee for all tents with appurtenances and for tents without appurtenances in excess of 900 square feet or more than 30 feet in any dimension shall be \$92. There is no charge for all tents without appurtenances less than 900 square feet.

L. The fee for a permit to construct an in-ground swimming pool shall be \$150 and for an aboveground swimming shall be \$100.

M. Solar heat. The fee will be figured at \$10 per \$1,000 worth of alteration work.

N. Oil. Oil burning and storage units and equipment:

- (1) Each tank up to 500 gallons: \$50
- (2) Each tank from 500 gallons to 999 gallons: \$75
- (3) Each tank from 1,000 gallons to 1,999 gallons: \$100
- (4) Each tank from 2,000 gallons to 5,000 gallons: \$150.

O. Miscellaneous fees:

- (1) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$594 for Class I structures and \$150 for Class II and Class III structures. The fee for resubmission of an application for variation shall be \$229 for Class I structures and \$65 for Class II and Class III structures.
- (2) The fee for a permit for lead hazard abatement work shall be \$140. The fee for a lead abatement clearance certificate shall be \$28.
- (3) For cross-connections and backflow preventers that are subject to testing, requiring reinspection annually, the fee shall be \$65 for each device when it is tested.
- (4) Annual permit fees in accordance with N.J.A.C. 5:23-4.20.
- (5) The fee for a mechanical inspection in a Use Group R-3 or R-4 structure by a mechanical inspector shall be 75 for the first device and \$25 for each additional device. No separate fee shall be charged for gas, fuel oil, or water piping connections associated with the mechanical equipment inspected.
- (6) Fees for asbestos hazard abatement shall be in accordance with N.J.A.C. 5:23-8.9.
- (7) The fee for the annual inspection of public swimming pools shall be \$100.
- (8) The fee to construct a wood/coal stove, patio, chimney for furnace, retaining wall, tennis court, all other courts, fireplace and chimney and kiosk shall be \$50.00.

P. Permit fees for construction of any permitted building or structure by the Township or any of its respective agencies are waived.

Q. In the absence of the Construction Official or a subcode official, an individual having the required license may assume the duties of the above persons.

R. All construction permit fees will be rounded off to the nearest dollar.

S. Additional fees: In any instance where a permit or service is required pursuant to the Uniform Construction Code Act and a fee is established therefore pursuant to N.J.A.C. 5:23-4.20 but is not set forth above in this chapter, the fee established by N.J.A.C. 5:23-4.20 shall apply as the fee to be paid to the enforcing agency.

T. New Jersey State Permit Surcharge Fee. The State of New Jersey training fee surcharge for new construction shall be in accordance with N.J.A.C. 5:23-4.19.

U. Biannual Fee Schedule Report. The construction official shall, with the advice of the subdue officials, prepare and submit to the Township biannually, a report recommending a fee schedule based on the operating expenses of the interlocal enforcing agency, and any other expenses fairly attributable to the enforcement of the State Uniform Construction Code Act.

V. There shall be an additional fee of \$45 per hour for review of any amendment or change to a plan that has already been released.

3. Section 66-3 of Chapter 66 remains in full force and effect.

4. Severability. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

5. Repealer. All Ordinances or parts of Ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

6. Effective Date. This Ordinance shall take effect upon final passage, adoption and publication according to law.

By Order of the Township Committee,

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

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

Introduced: May 13, 2010

Adopted:

++++  
Motion by Mr. Tatsch, seconded by Mrs. Cregar, and it was carried unanimously to introduce Ordinance 10-11.

The ordinance will be published in the May 20, 2010, issue of the Hunterdon County Democrat, and the public hearing is set for a special meeting to be held on Thursday, June 3, 2010, at 7:30 p.m.

**SPECIAL DISCUSSIONS**

**CONTRACT WITH RARITAN TOWNSHIP FOR UNIFORM CODE ENFORCEMENT AND RESOLUTION TO APPROVE INTER-LOCAL AGREEMENT**

Mr. Matheny explained that the shared services agreement is necessary in conjunction with the fee ordinance introduced above. He mentioned discussions with Raritan Township, including participation by the CFO and the Mayor of East Amwell. The agreement outlines the intent that Raritan Township will conduct East Amwell Township Construction services for fees. The East Amwell Construction Office has operated with a deficit for the past couple of years, and originally the Township looked at having oversight by the DCA, which did not receive public

support. Raritan Township has agreed to perform the functions for fees, they'll have no new employees, they will receive the revenue, there is no additional overhead since the same inspectors will be doing the work as Raritan employees, the offices will be open from 7:00 a.m. – 4:30 p.m., and inspectors are available until 3:00 p.m. each weekday rather than having the inspectors doing the work on their lunch hour from 11 a.m. – 1 p.m. each day. The offices are in a more acceptable geographic location, and it will be more convenient for East Amwell residents to have expanded services while saving money.

Mayor Kneski agreed that this will create a large savings for the municipality, noting the deficits in the past several years. He explained that the revenues were lower than expenditures in some instances, and the Township had to use surplus. This, coupled with significant state aid reductions, was difficult. He commented on not knowing what next year would bring, noting that other municipalities are also seeing this trend.

Mr. Tatsch also noted the state mandate that the Construction Office should pay for itself with fees, and therefore, East Amwell was not in compliance with state requirements, which was another reason to consider the change.

A minor typing correction in the proposed resolution was suggested.

Mayor Kneski commented on having the Administrator pull together these negotiations, which were intense at times. He stated that the Township has been looking at the Department since 2009, when there was a significant deficit, and concessions were made, including salary reductions and a decrease in hours for the secretary; these changes did not help. The Township has been looking at the revenues and also the loss of state aid when considering options. He again commented that other municipalities are also looking at such changes.

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**RESOLUTION #68-10**

**RESOLUTION AUTHORIZING EXECUTION OF A SHARED CONSTRUCTION DEPARTMENT AGREEMENT WITH THE TOWNSHIP OF RARITAN**

WHEREAS, the Township of East Amwell (“East Amwell”) and the Township of Raritan (“Raritan”) are interested in creating tax savings through the implementation of an interlocal enforcing agency for the administration of the Uniform Construction Code; and

WHEREAS, an agreement for an interlocal enforcing agency is permitted pursuant *N.J.S.A. 40A:65-1 et seq.*, the “Uniform Shared Services and Consolidation Act” and the regulations promulgated for the enforcement of the Uniform Construction Code, specifically *N.J.A.C. 4:23-4.6*; and

WHEREAS, the agreement will be submitted to the Department of Community Affairs for review and approval; and

WHEREAS, pursuant to the agreement East Amwell will no longer have its own Construction Department and the services of the Construction Department will be provided through the Construction Department of Raritan; and

WHEREAS, Raritan will appoint and employ all personnel necessary for the proper functioning of the Construction Department; and

WHEREAS, East Amwell and Raritan will develop a uniform fee schedule so that the fees to be charged for properties in East Amwell are the same as those charged for properties located in the Township of Raritan; and

WHEREAS, the sharing of services pursuant to the proposed Agreement will benefit both East Amwell and Raritan by increasing the efficiency and decreasing the costs of those services; and

WHEREAS, East Amwell desires to enter into a Construction Department Shared Services Agreement with Raritan substantially in the form attached to this resolution;

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

By Order of the Township Committee,

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

+++++  
Motion by Mr. Tatsch, seconded by Mrs. Cregar, and the resolution was carried by roll call vote: Mr. Tatsch, yes; Mrs. Cregar, yes; Ms. Lenox, yes; Mr. Kneski, yes.

PRESENTATION BY THE NJ DEPARTMENT OF TRANSPORTATION (DOT) ON THE RESURFACING OF ROUTE 31 PROJECT SCHEDULED DURING SUMMER 2010 Hardev Dave, Project Manager from NJ DOT, was present.

Mayor Kneski commented on a previous meeting with the NJ DOT and officials from East and West Amwell about the project scheduled for 2010. A suggestion was made to hold a public hearing for residents regarding scheduling, improvements, and time of construction (including night hours).

Mr. Dave had maps available for the public, noting that the project location is State Highway 31 from Route 518 to the Route 202 by-pass and includes milling, paving, guardrails, and curbing. The other State project (Route 202 overpass) should be completed by July, and this project may start in September 2010 and be finished by early next spring or later winter, depending on asphalt and weather conditions. Residents will be notified, and there will be mostly night construction. The road will not be closed during construction, and there are no detours planned, i.e., two lanes will be open at all times, and there will be appropriate signage to direct vehicles. Due to budget cuts, 50% of proposed DOT projects were cut, and this is one of three projects kept in the budget using federal funds due to the road conditions.

Public comments were solicited.

Tim Mathews, 72 Linvale Road, stated that his road intersects with Route 31, and he asked if two lanes would be open. Mr. Dave explained that there would always be one lane in each direction and the shoulders may be used as lanes at times. Three will be flaggers on the site along with State Troopers. Most work will be done at night; however, there will be some day work also. He provided information on vehicle counts, i.e., 1,300 per day.

Dick Ginman, 125 Mountain Road, asked about improvements in asphalt to prevent deterioration. Mr. Dave stated that there have been significant improvements in asphalt with technology used to produce "Super-Pave." The material has a 15 year life expectancy on interstates (e.g., Routes 295 and 195) and with the use of two inch millings and two inch pavings, the blacktop should last 10 years on the highway.

Richard Spiegel, 1 Mountain Road, asked again about the project location (i.e., from Route 518 to before the 202 overpass on both lanes). Mr. Dave commented that the section near Route 579 (about a one half mile span), which was repaved a few years ago, will not be touched.

Mr. Mathews explained that the section between the Quick Chek and Route 518 narrows; he asked if there would be any widening, especially near the church at Linvale. Mr. Dave said that there would be no road widening, and it will be a three stage project on the north, center, and south lanes.

The governing body thanked Mr. Dave for his presentation, and he was asked to keep the Clerk posted on the project.

PRESENTATION BY EAST AMWELL TOWNSHIP SCHOOL ON DEFEATED SCHOOL BUDGET ON APRIL 20, 2010 (See 4/26/10 Minutes for Background Information) Members

of the East Amwell Board of Education in attendance included Jim Barabas, Anne Kenyon, and Jennifer Bausmith

Mayor Kneski commented on an earlier meeting that he and Committee member Tatsch had with the Board and Superintendent of Schools to discuss the defeated budget. Based on recommendations to provide a \$78,000 (one tax point) reduction, the School was able to do so. The Board worked with the teacher's association on their negotiated 2009 contract, which provided a 3.5% increase for three years. The teachers agreed to open their contract and arranged a zero percent increase this year and looked at other benefits as well. Mayor Kneski read from a recent Hunterdon County Democrat article, which provided specifics on the cuts. He was pleased to report that no educational programs were cut.

Mr. Barabas commented on the "long road to get here." He spoke about a series of increases from the negotiated contracts in October 2009 to the Trenton mandate in December 2009 to trim 15% of the budget and now the 43% decrease and loss of about \$400,000 in state aid. He appreciated the bargaining unit's efforts and the teachers' efforts to get to the budget requirements. He commented on starting to look at next year's budget in the next month.

Mayor Kneski asked that Mr. Barabas extend the Township Committee's appreciation to the Superintendent, the Board of Education, and the teachers for their efforts, including opening up the contract to protect the children and the curriculum. He further commented on the need for a resolution to be provided to the County Supervisor and the State.

+++++  
**RESOLUTION #69-10**

**RESOLUTION OF THE TOWNSHIP OF EAST AMWELL, HUNTERDON COUNTY, NEW JERSEY IN REGARD TO CERTIFICATION OF THE LOCAL TAX LEVY FOR EAST AMWELL TOWNSHIP SCHOOL**

WHEREAS, the Board of Education of the East Amwell Township School District presented to the voters, at the annual School Election held on April 20, 2010, a question concerning the tax levy requirements for the said Board of Education for current expenses and capital outlay, designated as the General Fund, in the amount of \$6,350,367 for the school year 2010-2011; and

WHEREAS, the voters of the Township of East Amwell rejected the current expense and capital outlay budget designated as the General Fund, by a vote of 396-Yes and 591-No votes; and

WHEREAS, the said East Amwell Township School Board of Education transmitted an official copy of the rejected current expense and capital outlay budget designated as the General Fund to the Municipal Clerk by April 22, 2010; and

WHEREAS, the Mayor and Township Committee of the Township of East Amwell have reviewed information on the current expense and capital outlay budget, designated as the General Fund; and

WHEREAS, representatives of the Board of Education attended the Township Committee meeting on May 13, 2010, to discuss the General Fund Budget as submitted by the Board of Education; and

WHEREAS, careful consideration has been given to the information received from the Board of Education, with a view toward providing a thorough and efficient system of education in the school system of the East Amwell Township School;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, in the County of Hunterdon, State of New Jersey as follows:

1. The tax levy amount of \$6,350,367 on the ballot was rejected by the voters for the General Fund (base budget).

2. The Mayor and Township Committee has determined that the rejected General Fund is above the maximum T & E budget and that a reduction of \$78,532 will not adversely affect the Board of Education’s ability to meet the thoroughness and efficiency standard as set forth in N.J.S.A. 18A:7F. Therefore, the Mayor and Township Committee hereby reduce the General Fund tax levy by \$78,532.00. It recommended that such reductions come from the following line-item account:

**APPROPRIATIONS – CURRENT EXPENSE**

<b>Account Number</b>	<b>DESCRIPTION</b>	<b>Amount</b>	<b>Reduction(s)</b>
	PreK                      Regular		
11105100101	Instruction	520	Salaries
11110100101	Kindergarten Reg Inst	2,020	Salaries
11120100101	1-5 Regular Instruction	14,030	Salaries
11130100101	6-8 Regular Instruction	7,038	Salaries
11207100100	Hearing Impaired	1,100	Salaries
112131001xx	Resource Center	9,470	Salaries
112161001xx	PSH	2,573	Salaries
11402100100	Co-Curricular	1,219	Salaries
11401100100	Athletic	1,200	Salaries
11000213104	Health Services	510	Salaries
11000216101	Speech	160	Salaries
11000218104	Guidance	1,160	Salaries
110002191xx	CST	3,572	Salaries
110002211xx	Undist – Improve Inst	415	Salaries
110002221xx	Media services	1,250	Salaries
11000230100	General Admin	6,663	Salaries
110002401xx	School Admin	2,293	Salaries
11000251100	Central Office	3,208	Salaries
11000262100	Custodial Services	2,636	Salaries
11100263100	Grounds/Landscaping	1,163	Salaries
11000291280	Benefits	16,332	Benefits
Total			
Reductions		<u>78,532</u>	

In consideration of these reductions, the tax levy will be adjusted as follows:

\$6,350,367 – presented to voters  
 - 78,532 – above reductions  
 \$6,271,835 certified tax levy amount

3. The Mayor and Township Committee hereby certifies that the amount of the tax levy herein above certified by this Municipal Government for the General Fund (base budget) is sufficient to provide a thorough and efficient system of education for the East Amwell Township School.

4. The aforementioned tax levy herein certified by the Township of East Amwell for the base budget exceeds the local share required by N.J.S.A. 18A:7F-5.

5. The Township Clerk of the Township of East Amwell is directed to certify no later than Wednesday, May 19, 2010, to the Hunterdon County Board of Taxation, the Hunterdon County Superintendent of Schools, the Hunterdon Central Regional High School, the East Amwell Township Board of Education, the East Amwell Township Tax Assessor, the Division of Local Finance of the Department of the Treasury of the State of New Jersey, and to any other parties required by law to receive such certification, that the amount of \$6,271,835 is necessary to be raised by taxation for General Fund revenues (District tax levy); which amount shall be included in the taxes to be raised, levied and collected in this Township for General Fund for said school district.

6. That copies of the Resolution be forwarded by the Township Clerk to the persons and/or departments herein names, certification purposes.

By Order of the Township Committee,

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

+++++  
Motion by Mrs. Cregar, seconded by Deputy Mayor Lenox, and it was carried unanimously by roll call vote to adopt the resolution: Mr. Tatsch, yes; Mrs. Cregar, yes; Ms. Lenox, yes; Mr. Kneski, yes.

**RESOLUTION FOR HUNTERDON CENTRAL REGIONAL HIGH SCHOOL DEFEATED BUDGET ON APRIL 20, 2010**

Mr. Tatsch explained the background, with the following highlights: the entire budget for the High School was \$61,000,000, a reduction of \$2,000,000 from last year; there were two cuts, the \$2,000,000 in 2009 and 3,000,000 this year; there was also a loss of \$5,000,000 from state aid; the teacher's union is in the process of negotiating contracts and agreed to a zero percent increase for teachers and administrators; the defeated budget fell to the governing bodies of the five sending districts to review; based on the message sent by all residents - the governing bodies wanted to provide some tax relief within the constraints of keeping existing programs for this "amazing" high school; Flemington Borough wanted to restore courtesy busing to students within the 1.5 miles of the school (i.e., it was available when there was construction on Route 31 but construction in that area is complete); the end decision was that \$100,000 would be cut from the budget and Flemington Borough would continue their negotiations with the High School to make their own additional cuts to try to restore the \$36,000 to the budget for courtesy busing. It was unclear if the Flemington negotiations proceeded since it was not listed in the resolution provided by the high school.

Mr. Tatsch asked the Mayor to open to the public for comments.

Dick Ginman, 125 Mountain Road, asked what was cut from the budget. Mr. Tatsch said that no programs were cut, two teachers retired and new teachers hired at a lower salary, and there were other small cuts in administration and training funding.

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

+++++  
**RESOLUTION #70-10**

WHEREAS, the Board of Education of the Hunterdon Central Regional High School District presented to the voters, at the annual school election held on April 20, 2010, a question concerning the tax levy requirements for the 2010-2011 Budget for Current Expenses and Capital Outlay, designated as the General Fund, in the amount of \$50,307,526; and

WHEREAS, the voters of the five municipalities comprising the school district rejected the General Fund question by a vote of 4,920 YES votes to 5,997 NO votes; and

WHEREAS, a joint meeting of the designated elected officials of the municipalities and the Board of Education was held on May 5, 2010 to discuss the General Fund Budget during which changes to the budget were reviewed and a consensus was reached regarding said changes; and

WHEREAS, careful consideration has been given to the information received from the Board of Education with a view toward providing a thorough and efficient system of education in the school system of the Board of Education and with recognition of the wage freeze accepted by Hunterdon Central staff for the 2010-2011 school year;

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

- (1) The General Fund (base budget) Tax Levy is to be reduced by the total sum of \$100,000 as delineated below.

**HUNTERDON CENTRAL REGIONAL HIGH SCHOOL BOARD OF EDUCATION**  
**2010-2011 TAX LEVY CHANGES**

**GENERAL FUND APPROPRIATION REDUCTIONS**

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
11-140-100-101	Instructional Salaries	\$ 50,000
11-000-100-568	Instructional Undistributed Expense – Tuition	<u>\$ 50,000</u>
<b>TOTAL GENERAL FUND TAX LEVY REDUCTION:</b>		<b>\$ 100,000</b>
<b>ORIGINAL GENERAL FUND TAX LEVY:</b>		<b>\$50,307,526</b>
<b>REDUCTION:</b>		<b>- <u>100,000</u></b>
<b>REVISED GENERAL FUND TAX LEVY:</b>		<b>\$50,207,526</b>

- (2) The Township Committee of the Township of East Amwell hereby certifies the tax levy for the General Fund of the 2010-2011 Hunterdon Central Regional High School Budget in the amount of \$50,207,526.
- (3) The Township Committee of the Township of East Amwell hereby certifies that the revised budget is sufficient to provide a thorough and efficient education.

BE IT FURTHER RESOLVED, that the Clerk of the Township of East Amwell is directed to provide a certified copy of this resolution no later than May 19, 2010 to the Hunterdon County Superintendent of Schools, the Hunterdon Central Regional High School Board of Education, and to such other parties as required by law to receive copies.

By Order of the Township Committee,

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

+++++  
 Motion by Mrs. Cregar, seconded by Deputy Mayor Lenox, and it was carried unanimously by roll call vote to approve the resolution: Mr. Tatsch, yes; Mrs. Cregar, yes; Ms. Lenox, yes; Mr. Kneski, yes.

Deputy Mayor Lenox left the meeting at 8:40 p.m. to attend the County Agriculture Development Board meeting.

PRESENTATION BY RESIDENT PHILIP WARD ON USE OF WINDMILLS ON PROPERTY KNOWN AS BLOCK 33/LOT 1.01 ON RUNYON MILL ROAD Resident Philip Ward was present at this time.

Mr. Ward previously spoke with Construction Official Stewart Doddy and Zoning Officer Richard McManus about the installation of two wind turbines on his property; he is unsure when he will be putting them up. Mr. Ward mentioned the recent legislative bill that allows wind turbines on farms.

Mr. Ward spoke about specific setback information, noting that his nearest neighbor is about a tenth of a mile away, and he is looking at a height of 50-60 feet for the turbines. Mr. Ward wanted the Township Committee to know of his intent, noting that his property will be the first in the Township to install this equipment, also commenting on his use of solar power, i.e., solar for the house and the wind turbines will be for the two out buildings on site. He noted that there “is plenty of wind and a westerly and northerly breeze....”

Mr. Tatsch commented on new wind turbine technology he read about using lower power and fewer kilowatts and include a shroud. Mr. Ward was not familiar with that type of equipment, noting that he would be using Sky-stream 3.7 turbines with 12 foot spans, similar to ones installed at a PSE&G facility in Salem County and in four other locations. He stated that they are efficient and very quiet.

The governing body asked that Mr. Ward keep them up to date when he is ready to install and thanked him for the presentation.

AWARD OF 2010 M & R MATERIALS CONTRACTS

Engineer O’Neal’s May 12 letter regarding his recommendation to award was acknowledged, along with the May 13, 2010, email from Attorney Kopen that the bids were in order, except for a minor oversight from Trap Rock Industries regarding a missing signature on page 16 of the bid documents. Treasurer Luhrs provided her 5/13 certifications for the award to Trap Rock Industries for up to 100 tons of 1 inch blend stone in the amount of \$3,450 and for the award to Flemington Bituminous for purchase of the I-4 and I-5 Mix and 3/4 inch stone in the amount of up to \$70,810. Mr. Matheny noted that the materials will be used to make road repairs.

+++++

**RESOLUTION #71-10**

BE IT RESOLVED by the Township Committee of the Township of East Amwell, County of Hunterdon, State of New Jersey, that based on the recommendations of the Township Engineer and the Township Attorney, they hereby award the following contracts pursuant to the Local Public Contracts Law N.J.S.A. 40A:11-1, et al.:

Flemington Bituminous  
205 Pennsylvania Avenue  
Flemington, NJ 08822  
2010 Bituminous Road Materials  
Up to 800 Tons of Mix I-4 - MABC  
\$53.45 per ton F.O.B.; up to \$42,760.00 if 800 tons purchased  
Up to 500 Tons of Mix I-5- FABC  
\$53.45 per ton F.O.B.; up to \$26,725.00 if 500 tons purchased  
Up to 100 Tons of 3/4 Inch Clean Stone  
\$13.25 per ton F.D.S.; up to \$1,325.00 if 100 tons purchased

Trap Rock Industries, Inc.  
P. O. Box 419  
Kingston, NJ 08528  
2010 Bituminous Road Materials  
Up to 300 Tons of 1 inch blend  
\$11.50 per ton F.D.S.; up to \$3,450.00 if 300 tons purchased

BE IT FURTHER RESOLVED that contracts are on file in the Municipal Clerk=s Office, 1070 Route 202, Ringoes, NJ 08551, for public inspection during normal business hours.

By Order of the Township Committee,

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

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

REFUNDING ANALYSIS AND OPPORTUNITY FOR REINVESTMENT – Discussion with Treasurer Jane Luhrs

Mrs. Luhrs received an email from Bond Counsel Andrea Kahn that Power Capital Markets identified a potential refunding opportunity to issue bonds to pay off older bonds issued in 1999 and 2001. Power Capital Markets did an analysis showing a spreadsheet of savings that the Township will gain and the costs involved. Mrs. Luhrs further explained that the savings would be small although it meets the threshold savings of being in excess of 3% of the amount of refunded bonds, and interest rates are low now. The analysis showed paying off two older bonds and borrowing \$2,555,000 to pay off bonds and pay for the cost of borrowing. The cost for the process is \$75,000, including getting a bond rating, prospectus, going to the Local Finance Board for approval, and other work. Power Capital feels that the Township would save \$97,000 over the term of new borrowing if the reinvestment is done now. Mrs. Kahn has agreed to attend a future Township Committee meeting if further information is requested; her rate for attendance at the meeting may come out of the bonding ordinance.

Mrs. Luhrs commented rates she received at the bond sale today, with TD offering 1.1% for one year; last year the rate was 1.69%. There were four bidders today, and Mrs. Luhrs believed that because the Township has "incredible" audits, the Township is a good risk and gets good rates. She further noted that the best savings, if reinvestment takes place, would be in the first few years, i.e., 1 - 2% on the long term bonds and up to 3 -4% later; right now, the bonds are at a 4-5% rate. Initial costs will include going to Moody's for a rating and preparing a prospectus, and the application process at the Local Finance Board is a two to three month process, i.e. through September.

Some discussion took place between the governing body and Mrs. Luhrs, with the following comments: Mr. Tatsch compared this to refinancing a mortgage; interest rates for short term borrowing (1.1%) and long term borrowing (1-2%) are low now but may go up as the Township locks in; while Mrs. Luhrs felt that there was a significant amount of work involved and a cost of \$75,000 to proceed, the Township would reap about \$97,000 in savings by reinvesting now; Mr. Tatsch commented on perhaps exceeding the amount of savings by lower interest rates, and he was in favor of moving ahead. Mrs. Cregar agreed. Further comments included the fact that the Township has lost state aid, and this option would be a good idea; whether the costs for reinvesting will be an exception to the levy cap is a question to be answered. Mayor Kneski asked if the Township Committee wanted to wait until the full Committee was present, but Committee members Tatsch and Cregar felt that it was beneficial to proceed now, noting that calling in bonds is a safe and reasonable thing to do. Mr. Cushing commented on his familiarity with the bonds as a very successful process.

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**RESOLUTION #72-10**

BE IT RESOLVED by the Township Committee of East Amwell Township that they hereby ask that Treasurer/CFO Jane Luhrs initiate the process of calling in the bonds and refinancing at a lower rate in accordance with the analysis done by Powel Capital Markets, in their email to Bond Counsel Andrea Kahn dated May 5, 2010.

By Order of the Township Committee,

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

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

**SPECIAL COMMITTEE REPORTS**

CLAWSON PARK ADVISORY COMMITTEE – Update by Committee Member Patricia Cregar

Mrs. Cregar reported on the recent meeting of the Clawson Park Committee (May 3), with the following highlights: The Advisory Committee recommends that the ordinance be amended to waive the \$500 deposit for non-profit organizations while still requiring insurance certificates. She mentioned the Girls on the Run Program as an example. Flowers will be planted around the flagpole by Girl Scouts under the direction of Troop Leader Dawn Payne, and they also

agreed to make sure that the beds are weeded weekly during the summer. The Road Department will mulch the Friday before Memorial Day.

Discussion took place on a request from a resident to donate a tree in memory of a family member; the resident now also wants a plaque in the grass in front of the tree. A recommendation was made to set some criteria for the donations, noting that other people will also be looking to donate. Mr. Matheny will assist Mrs. Cregar with the list of criteria for future donations, including a notation that the Township is not responsible if the tree dies or vandals destroy the plaque. In the interim, a Dogwood tree and a maintenance-free, flat monument will be purchased for the original requestor. Mr. Cushing commented on allowing memorials in the park; Mr. Matheny mentioned purchasing bricks for a pathway as one possibility.

A letter was previously received from a resident on Hart Lane about water problems on his property since the park was built. Mr. Matheny explained that Engineer O’Neal was asked to look into the matter, and he prepared a synopsis for Township records. A topographic survey was prepared, and during the analysis, the engineer looked at stormwater runoff from the Park towards adjacent properties. To complete the study, he reviewed the topographic survey, the 2002 Clawson Park Design Plans and Stormwater Calculation prepared by Lord Worrel Richter, and the approved 1982 subdivision plans for Holcombe Park. It was determined that the swale on the rear of Block 14.01/Lots 14 and 14.01 are not in conformance with the subdivision map where the plans called for a diversion berm, swale and curtain drain to be constructed with the 25 foot drainage easement on the lots. Additionally, the fencing and pool decking on the property encroach into the 25 foot drainage easement, which is also contributing to the problem.

Mrs. Cregar distributed a March 1, 2010, letter from residents Tom and Joanne Bartlett regarding Clawson Park, which was highlighted with blue and red markings. The property owners are invited to the next advisory committee meeting to detail the sections in blue. Additionally, the concerns raised about idling commercial vehicles are covered under state laws, and a sign requiring compliance with Title 39 (Vehicles) will be posted.

**AD HOC BRIDGE COMMITTEE ON WERTSVILLE ROAD BRIDGE – Update from Committee Member Tatsch**

Mr. Tatsch explained that there was a meeting at the County on May 6, including Hunterdon County Freeholders and Engineers Glynn and Martin, along with the firm who did the consulting work and Dr. Senoda, the engineer hired by the outside “Friends of Wertsville” to minimize the effects on the area. Mr. Tatsch believed that “it was clear from the beginning of the meeting that Freeholder Mennon and the staff were looking to reduce the effect of the bridge and the approach ... and to produce a major reduction on the impact...,” including minimizing the approaches to the roads and keeping elevations less than a foot. The end result of the meeting was that the County’s consultant will be redesigning the bridge and consider the constraints presented by the ad hoc bridge committee. It may take up to six weeks to redesign the plans, and Dr. Senoda may develop alternate approaches.

**STANDING COMMITTEE REPORTS**

**FARMLAND/OPEN SPACE PRESERVATION COMMITTEE**

1) Zuegner, Block 17/Lot 34, Resolution to Enter Executive Session to Discuss 4/26/10 Inter-Office Deliberative Material from Judy Conard: Vice Chairman Dick Ginman and Administrator Judy Conard were present.

Mayor Kneski asked how long the item would take for discussion and also asked Attorney Cushing how long his executive session (slated later on the agenda) would take. It was agreed that the combined session should be no longer than 15 minutes, and Mayor Kneski said that both sessions would take place now.

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 land acquisition, litigation, potential litigation, 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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Peter Kneski, Mayor

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

Executive Session began at 9:18 p.m. Mr. Ginman and Mrs. Conard left the executive session at 9:25 p.m.

The regular session resumed at 9:35 p.m., and Mr. Cushing left the meeting at this time.

**UNFINISHED BUSINESS**

**TOWNSHIP ADMINISTRATOR’S UPDATE**

1) Recommendation for Additional Benefits for East Amwell Township Employees: Mr. Matheny referenced a 4/28 memo outlining his recommendation, based on discussions on his contract. He reminded the governing body that the employees would be getting no raise again this year, and those employees receiving health benefits will see a loss of 1.5% of their salary going towards payment for benefits. His recommendation is to close the municipal offices on July 2, 9, and 16, noting that by closing the offices on a Friday, there would be additional savings in utility usage being scaled back for long weekends. In addition, employees meeting the threshold to received benefits days off will be granted two days off to be scheduled between June 1 and December 31 for the 2010 calendar year only and must not conflict with efficiency and effective operation. The employees were briefed on the proposal, and while they would prefer monetary compensation, but they would be appreciative if the days are provided to them instead.

Mayor Kneski felt that staff does an outstanding job being on the frontline, and because of the budget cuts (no raises), he did not have a problem with the proposal; having days off in July (during a “slow” month) is also appropriate. Mr. Tatsch commented on applying this benefit to the greatest number of employees, noting that the two additional days will be beneficial in doing so.

Mr. Tatsch made a motion to approve the April 28 memo as provided by the Township Administrator, seconded by Mrs. Cregar, and it was carried unanimously.

Mayor Kneski asked that Mr. Matheny extend the Township’s appreciation to staff.

2) 2010 Township Administrator’s Contract: Mr. Matheny provided a revised copy of the contract to the governing body. There is no salary increase, and the benefit previously discussed for staff will be provided to him with the exception that his five days are flexible so he can use them without impacting his work. Another change in the 2010 contract is an increase from three months’ pay to six months’ severance pay if he is let go from his position without

cause. Mayor Kneski commented that this is appropriate based on the number of years Mr. Matheny has been the Township Administrator and because of the outstanding job he is doing.

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**RESOLUTION #74-10**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that the Mayor be authorized to sign the 2010 contract for Township Administrator Timothy L. Matheny, as provided at the May 13, 2010, meeting.

By Order of the Township Committee,

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Peter Kneski, Mayor

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

3) Resolution for Qualified Purchasing Agent: Mr. Matheny reminded the Township Committee that two years ago, the State mandated requirements for municipalities to appoint Qualified Purchasing Agents, but changed requirements thereafter. Mr. Matheny has taken all the necessary courses and met the requirements for appointment as Registered Public Purchasing Officer (RPPO) and thus, the municipality may appoint him as the Qualified Purchasing Agent and increase the bid threshold to \$29,000. The appointment must be done by resolution, and a sample resolution, along with information about the QPA position from the League of Municipalities' website were provided to the governing body. If the appointment is made, the bid threshold will increase from \$21,000 to \$29,000 and the quote threshold will increase from \$3,150 to \$4,350. Mr. Matheny explained that by approving the resolution, the governing body was authorizing him to expend funds up to the \$29,000 threshold without their approval. The approved resolution and a copy of the certification must be sent to the State.

Mr. Tatsch commented on the substantial savings over time, with costs as high as \$3,000 for preparing bids and publishing requirements, and a number of projects fall in the window between bid thresholds. He stated that it "was excellent to have Tim take the courses for certification ... and using his expertise ... it will benefit the Township and increase the threshold, ... and save money in the bid process."

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**RESOLUTION # 75-10**

RESOLUTION APPOINTING TIMOTHY L. MATHENY, TOWNSHIP ADMINISTRATOR, AS A QUALIFIED PURCHASING AGENT (QPA) AND ADJUSTING THE CURRENT BID THRESHOLD AS AUTHORIZED BY N.J.S.A. 40A:11-3A AND N.J.A.C. 5:34-5 ET SEQ.

WHEREAS, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$29,000; and

WHEREAS, N.J.S.A. 40A:11-3a permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Timothy L. Matheny possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

WHEREAS, the Township of East Amwell desires to take advantage of the increased bid threshold;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of East Amwell, in the County of Hunterdon, in the State of New Jersey hereby increases its bid threshold to \$29,000; and

BE IT FURTHER RESOLVED, that the governing body hereby appoints Timothy L. Matheny as the Qualified Purchasing Agent to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Timothy L. Matheny’s certification to the Director of the Division of Local Government Services.

By Order of the Township Committee,

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

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

The governing body thanked Mr. Matheny for “his great job and ultimate cost savings.”

4) Municipal Maintenance Items: Sign; Continued Stonework; Painting: Mr. Matheny explained that the cost to complete the stonework on the front of the building would be \$5,000-6,000. The plywood “East Amwell Township” sign at the entrance to the lot is deteriorating, and he would like to purchase a nicer sign for a more prominent location. He discussed the issue with the Zoning Officer, and a sign similar to the one in place can be grandfathered; the ordinance would only allow a smaller sign in a different location. Mr. Matheny also said that there was still funding in an ordinance for painting, or power-washing could be done. Mayor Kneski asked that the outside door to the basement be painted or replaced. The governing body agreed that Mr. Matheny should move ahead with the necessary improvements since the funding was available. Some discussion took place on signs that can be purchased from Deptcor.

5) Winter Road Treatment: (See March & April 2010 Minutes for Background) The Township Committee agreed to table this discussion until Mr. Martin and Deputy Mayor Lenox were at the next meeting.

6) Policy on Emailing Packets: Mr. Matheny provided a draft document, previously edited by Mr. Tatsch, to provide to boards to encourage paper reduction. Mr. Tatsch added two more corrections to item #6: first line, change “their” to “his/her” and remove the last three words, i.e., “which they develop.”

Mr. Tatsch explained that boards and committees were advised that the Township Committee wanted to save paper and postage costs, and there was some concern raised by a Planning Board member regarding the requirement for volunteers to now have to print materials. Mr. Tatsch explained that was not the intent, and there are certain items that need to be printed out for board/committee members. Having the policy will help boards/committees develop processes to try to reduce paper with the chairperson and administrative person providing input. Mayor Kneski felt that it provided flexibility, and it was agreed that the policy could always be tightened in the future.

A motion was made by Mr. Tatsch, seconded by Mrs. Cregar, and it was carried unanimously to approve the policy for Paper Waste Reduction, as presented this evening.

Mr. Matheny was directed to contact Planning Board member Fred Gardner to address his concerns about the matter.

7) Update on Insurance Requirements: Mr. Matheny confirmed that on 4/29 the Attorney completed the certification for the municipality to qualify for incentives with PAIC by the requisite deadline of 5/1.

8) Share Grant Application 2010-04665-1268: A letter dated 4/20 from the DCA confirmed that the Township will not be receiving a grant (i.e., the grant program is closed at this time). This was the grant to purchase equipment for the shared services agreement between the municipality and the school. Some comments were made about the continued efforts with East Amwell School for the shared services agreement; Mr. Matheny will be working with Superintendent Stoloski now that the budget process has been completed. Mayor Kneski also spoke with Board of Education member Chuck Miles about this.

9) Audit of Municipal Court – Resolution to Sign Agreement with WithumSmith & Brown:

+++++  
**RESOLUTION #76-10**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby authorize the Mayor to sign the agreement with WithumSmith & Brown to provide the 2010 Municipal Court Audit.

By Order of the Township Committee,

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

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

10) NJ Smart Buildings – Energy Efficiency & Conservation Block Grant (EECBG) Application: Mr. Matheny explained that this is another grant program. An application for the Direct Install Program was submitted a few months ago, and another energy audit was completed by the contractor (for the record, H. T. Lyons). After a lag in time, the vendor submitted a list of recommendations, including T-8 light bulb and ballast replacements, motion sensor installations, high efficiency HVAC units, etc. at a cost of \$71,916 to complete. Participating in the Direct Install Program, the Township would only be responsible for 20% of the cost, i.e., Direct Install pays \$57,533 and East Amwell pays \$14,383 out of pocket. Another program, the EECBG, is funded by the federal reinvestment act, and if a municipality has not received other federal funds, they pay up to \$20,000 of the costs for energy efficient items. Mr. Matheny noted that even if the Township does not receive the federal funds, there is a 2 year payback on the installations, and savings will be seen in heating and lighting costs within 2 years. An application for the EECBG has already been submitted.

Mr. Tatsch commented on NJ Energy Star Programs, providing information on his personal experience with incentives, including the fact that he will be receiving 50% refund of costs for installing energy improvements in his home, i.e., \$10,000 for a furnace and air conditioner. Other incentive programs, including “Cash for Caulkers” will be coming up later this year. Mr. Tatsch urged the public to “act fast” because the incentives will not last long.

11) 5/11 & 5/12 Correspondence from Zoning Officer McManus re: Retirement on 7/1/10: Zoning Officer Richard McManus provided a letter notifying the Township Committee of his intent to retire on July 1, 2010, asking also that the Township re-employ him after a mandatory 30-day period off the payroll. He outlined the advantages of retirement at this time and reasons why he wished to continue employment at East Amwell Township after the 30 days. Mr. Matheny spoke with Attorney Lorraine Staples about this, and she advised that this is not an unusual or illegal request. During the interim period, the Alternate Zoning Officer, Bob Miller, could be called for service on an as-need basis.

The governing body discussed the matter briefly, with the following highlights: Having Mr. McManus continue as Zoning Officer, particularly during the transition of the Construction Department to Raritan Township, would be beneficial; Mayor Kneski felt that Mr. McManus was doing an “outstanding job” and was familiar with current zoning concerns; there was a consensus that Mr. McManus’s request was acceptable.

Later in the meeting, a resolution was offered.

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**RESOLUTION #77-10**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby accept the May 11, 2010 letter of Zoning Officer Richard McManus, resigning effective July 1, 2010, and express their intent to rehire him after the 30 days out of service expires; and

BE IT FURTHER RESOLVED that the Alternate Zoning Officer will be contacted for assistance in the interim period.

By Order of the Township Committee,

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

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

12) 5/11 Request from Assessor Busher for a Substitute Attorney Appointment for Hunterdon Storage Tax Appeal: Mr. Matheny referenced communication from the Assessor about a conflict in interest by legal counsel Gebhardt & Kiefer in a tax appeal for Hunterdon Storage, Inc. and her request to appoint a substitute attorney for the appeal. She was recommending Martin Allen of DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, PC to be appointed; his email of May 11, 2010, indicates that his fee will be the same as the Township Attorney's fee. Mr. Allen is also working on appeals by the same owner in Raritan Township and is familiar with valuation methodology of storage units.

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**RESOLUTION #78-10**

BE IT RESOLVED by the Township Committee of the Township of East Amwell, that, based on the recommendation of Tax Assessor Marianne Busher, they hereby appoint Martin Allen of the firm DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer, PC as substitute tax appeal counsel to assist Ms. Busher on the tax appeal of Hunterdon Storage Inc. filed at the State Tax Court.

By Order of the Township Committee,

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

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

13) FBI Training: Mr. Matheny will be away for FBI training and will miss the May 27, 2010, special Township Committee meeting.

14) Recreation Committee Website: Mr. Tatsch asked Mr. Matheny about the request received from the Recreation Committee about their website and maintaining a separate email list on the Township's website. Mr. Matheny explained that the cost for the Recreation Committee would be \$150 from their budget for the email set up; the question is whether the Township wanted to have it a policy about this, i.e. an independent email account on the Township website. A question was raised as to whether the Recreation Committee had \$150 in their budget system earmarked for computers. Mr. Matheny also noted that there have been a number of questions about the Recreation website, including having a URL to open the page directly, which is not a problem. A consideration was whether the Township wanted to have different boards, e.g., Recreation or Historic Preservation, setting up their own web without any control or oversight from the Township Committee, i.e., the possibility of having information on

the site that is erroneous or not what the Township would like to see. The Recreation Committee will discuss the spending issue at their next meeting. Mr. Tatsch suggested that Mr. Matheny or Mrs. Luhrs provide guidance to the Recreation Committee about their budget line items and purchasing. Mr. Tatsch, as Liaison, will attend the next Recreation Committee meeting to further discuss the matter.

**NEW BUSINESS**

RAFFLE LICENSE #02-10 FOR ST. PETER’S FOUNDATION FOR A RAFFLE TO BE HELD AT THE RIDGE AT BACK BROOK ON SEPTEMBER 13, 2010, AT 6:00 P.M.

St. Peter’s has held successful raffles at The Ridge in the past few years as an annual event.

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**RESOLUTION #79-10**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby support the fund-raising efforts of Saint Peter’s Foundation, 254 Easton Avenue, New Brunswick, New Jersey 08901; and

WHEREAS, the Foundation has made application to hold an off premises 50/50 raffle on September 13, 2010, at 6:00 p.m. at The Ridge at Back Brook, 211 Wertsville Road, Ringoes, NJ 08551;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of East Amwell, that raffle license number #RA-02-10 be approved and processed.

By Order of the Township Committee,

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Peter Kneski, Mayor

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

**MID-ATLANTIC EQUINE MEDICAL CENTER: RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN FIRE TANK EASEMENT**

A letter from Attorney Staples included an original easement for signature along with a proposed resolution to authorize the Mayor to sign the easement.

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**RESOLUTION #80-10**

WHEREAS, Section 92-54 of the Township Code requires major subdivisions and major site plans of 10,000 square feet or greater, except for farm buildings, to install underground water storage tanks and appurtenances for fighting fires; and

WHEREAS, the Bousum/Nelly partnership has installed such an underground fire tank on its property known as Block 8, Lot 26.01 in East Amwell Township; and

WHEREAS, the Bousum/Nelly partnership has executed a fire tank easement as required by Section 92-54 of the Township Code providing access to the tank and describing maintenance responsibilities of the partnership as Grantor and the Township as Grantee; and

WHEREAS, it is in the Township’s interest to accept the easement;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of East Amwell, Hunterdon County, New Jersey, that the Mayor and Clerk are hereby authorized to sign the Fire Tank Easement on behalf of the Township and arrange for it to be recorded.

By Order of the Township Committee,

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

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

RESOLUTION TO ENTER EXECUTIVE SESSION – Executive session took place earlier in the meeting.

**OPEN TO THE PUBLIC**

Les Hamilton, 1 High Mowing, thanked the governing body for their work. He also thanked Mr. Matheny for all his efforts, stating that the public is not aware of the work he does in getting grants for the municipality and thereby saving tax dollars. He suggested that a VIP article should include this information.

Mr. Hamilton talked about the policy on saving paper, noting the intent of having board members use their home computers for copies. He felt that this is a sensitive topic, stating that the Township should be very careful with the volunteers, who are doing their best.

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

**ADMINISTRATIVE REPORTS**

TREASURER LUHRS provided an emergency temporary resolution for an additional \$180,292.00.

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**RESOLUTION #81-10**  
(As attached to the Original Set of Minutes)

By Order of the Township Committee,

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

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

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

Treasurer's Resolutions:

+++++  
**RESOLUTION #82-10**

WHEREAS, the Public Works Superintendent of the Township of East Amwell has approved the refund of the following driveway bond;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of East Amwell that the Treasurer is authorized to issue a refund check to the following applicant:

Applicant	Amount of Refund
Bruce Cortelyou	\$2,500.00

By Order of the Township Committee,

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

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**RESOLUTION #83-10**

WHEREAS, it has been determined by the Construction Official of the Township of East Amwell that the following overpayment was made on a DCA fee and 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 applicant:

Applicant	Amount Refunded
John Kelly	\$10.00

By Order of the Township Committee,

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

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**RESOLUTION #84-10**

WHEREAS, it has been determined by the Board of Health of the Township of East Amwell that the following witness fees 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 amounts to the applicant:

Applicant	Amount Refunded
Phillip & Martha Pittore	\$200.00
Gwen Healy	\$200.00

By Order of the Township Committee,

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

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

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**RESOLUTION #85-10**

WHEREAS, the debt service resolution was approved on January 14, 2010;

WHEREAS, the Township Committee has approved an additional sum to be included in the 2010 budget;

NOW, THEREFORE, BE IT RESOLVED that the following appropriation be added to the debt service resolution to cover the period from January 1, 2010 to December 31, 2010 inclusive:

**DEBT SERVICE – TOWNSHIP OF EAST AMWELL**

Payment of Bond Anticipation Notes	\$110,000.00
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By Order of the Township Committee,

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Peter Kneski, Mayor

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

TAX COLLECTOR HYLAND presented her April 2010 report.

Tax Collector's Resolutions:

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**RESOLUTION #86-10**

WHEREAS, there had been an overpayment for 1<sup>st</sup> Quarter 2010 taxes for Block 25, Lot 19 by Raymond Fasano, as Attorney, for Frank Culver for \$1,430.92 and;

WHEREAS, this amount has been requested by Raymond Fasano as Attorney for Frank Culver for refund;

THEREFORE, BE IT RESOLVED that the Treasurer is authorized to prepare and mail a check in the amount of \$1,430.92 to be refunded to Raymond Fasano as Attorney for Frank Culver.

By Order of the Township Committee,

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

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

Tax Collector Hyland also sent a memo to the governing body about the tax bill mailing, asking if they would want to include inserts as usual. They were supportive of providing inserts to the residents, and the Mayor asked that a copy of the budget message be provided in the mailing.

All other reports were noted without comments.

**CORRESPONDENCE**

The Committee acknowledged receipt of information from Hunterdon County including a time line on the Wertsville Road repair starting in June and completion by October.

Mr. Matheny commented on the presence of the Raritan Police Department in East Amwell, stating that within 12 hours, they have issued 40 summonses with one criminal arrest. He provided some speed statistics and road locations, noting that the officers are patrolling "all over." Mayor Kneski also mentioned seeing an increased presence by the State Troopers on back roads since Raritan Township took over. Mrs. Cregar provided anecdotal information about an overheard conversation in Princeton by a motorist who cruises at high speeds "in Ringoes because he never gets stopped."

**ADJOURNMENT**

There being no further business, a motion was made by Mr. Tatsch, seconded by Mrs. Cregar, and it was carried unanimously to adjourn the meeting at 10:40 p.m.

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

