

A special meeting of the East Amwell Township Committee came to order at 7:30 PM. Present were Mayor C. Larry Tatsch, Deputy Mayor Patricia Cregar, and Committee members Peter Kneski and Tim Mathews. Committee member Linda Lenox was absent. Township Administrator Timothy L. Matheny was also in attendance.

In compliance with the Open Public Meetings Act, a copy of notice of this meeting was filed in the Clerk's Office, posted on the bulletin board, and sent to the Hunterdon County Democrat, Times of Trenton, and Star Ledger on April 19, 2011, and the notice was published in the April 21, 2011 issue of the Hunterdon County Democrat. The purpose of this meeting is to hold a public hearing on an ordinance to amend the Land Management Ordinances regarding solar and photovoltaic energy facilities, to introduce an amendment to the fee ordinance, and to allow the Township Committee to hold a brainstorming session.

The public is invited to attend and comment. Action may or may not be taken.

The meeting opened with the Pledge to Allegiance.

Mayor Tatsch explained that the governing body would sit at the dais for the business items and sit at the table on the floor for the brainstorming meeting. He encouraged the public to participate but asked that they limit their comments to particular topics being discussed.

Mayor Tatsch pointed out the May 1, 2011, New York Times article in the real estate section, stating that the article was written by someone from the outside who toured the Township, and he was "pleased to see how we came across in an excellent light...." The article can be viewed on line or a hard copy is in the municipal offices.

ORDINANCE #11-07: AN ORDINANCE OF THE TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, FURTHER AMENDING CHAPTER 92 (LAND MANAGEMENT) OF THE ORDINANCES OF THE TOWNSHIP OF EAST AMWELL REGARDING SOLAR AND PHOTOVOLTAIC ENERGY FACILITIES

Public Hearing

As proof of publication, legal notices from the April 21 and 28, 2011, issues of the Hunterdon County Democrat and April 27, 2011 Trenton Times were provided. The ordinance has been available to the public since introduction on April 14, 2011.

Planner Joanna Slagle and Planning Board Chairman Don Reilly were present, along with some other members of the Planning Board in the audience. Ms. Slagle thanked the governing body for the special meeting tonight, and she reiterated some points made at the introduction of the ordinance. In condensed form, she commented on the following: the original solar ordinance was introduced to provide adequate regulations to control development while allowing for solar and photovoltaic facilities; public comments have been taken into consideration with the amending ordinance; many of the revisions are language changes to be "procedurally correct"; a table on page 3 showing distance requirements in specific zones was deleted, now showing the minimum 20 acre requirement with minimum 150 feet side and rear setbacks; an increase in the height limit from 10 to 12 feet was proposed since the inverters, structures, and panels for ground installations are typically 10.5 - 12 feet, and applicants would not have to come for height variances for each application; adequate buffering was addressed to provide more distance between solar facilities and residences with a new item that "no structure or other portion of the facility except for fencing, access roads and non-energy generating equipment shall be situated less than 300 feet from any residence or less than 150 feet from any accessory structure, whether located on the same or adjacent property"; the Township attorney asked for clearer landscaping provisions, which were not clear in the original ordinance, to further define vegetative buffers and shield facilities from public view, i.e., whether an existing buffer or creating one, "the vegetative buffer must be not less than 50 feet in width ... and include year round screening, including native evergreens and deciduous trees at least 8 to 10 feet in height at the time of planting and have staggered double rows completely around the facility for a year round screen"; the last substantive change pertained to limited clearing in the Sourland Mountain District, i.e., "major solar facilities, including accessory structures, fencing and parking areas, shall be limited

to existing cleared areas as shown on 2008 NJDEP aerial photographs." Ms. Slagle concluded that these were the major changes and amendments, and others were administrative changes.

Mr. Reilly appreciated the governing body's responsiveness to this newly developing area, noting "lots of issues to deal with in a short amount of time with a number of things to address going forward, and a number of them identified here."

Mayor Tatsch commented on additional buffering and other protection for the residents and assisting the applicants to understand the ordinance and eliminate confusion with the table. Mr. Reilly agreed, noting that the height increase for applicants was reflective of typical installations and eliminated the need for variances for the applicants.

The meeting was open to the public for comments on Ordinance 11-07. There being no comments, motion by Deputy Mayor Cregar, seconded by Mr. Kneski, and it was carried unanimously to close to the public.

Motion to adopt Ordinance 11-07 was made by Deputy Mayor Cregar and seconded by Mr. Kneski.

Mr. Mathews asked about a property with 10 acres in the mountain zone, where visibility was clear through the trees in the fall. Ms. Slagle commented on the need to supplement with evergreens, while using existing vegetation, stating the need for flexibility by using existing vegetation and topography as much as possible, reminding the Committee that no more land could be cleared for installations.

Mr. Mathews asked about the reference to 2008 NJDEP aerial photography; Ms. Slagle explained that this was standardized mapping and the most recent used by the NJDEP.

The vote on adoption of Ordinance 11-07 was unanimous by roll call vote: Mr. Mathews, yes; Mr. Kneski, yes; Mrs. Cregar, yes; Mr. Tatsch, yes.

CONTINUED DISCUSSION ON AN AMENDMENT TO THE CODE OF EAST AMWELL TO INCLUDE ZONING OFFICER FEES FOR REVIEW OF CONSTRUCTION PERMITS, FEES FOR STORMWATER MANAGEMENT REVIEWS, AND SUMMER PLAYGROUND FEES

Mayor Tatsch commented on discussions at the last meeting about the fee ordinance, which dealt with two areas; the governing body could choose one or both portions to move forth, but he recommended at least moving ahead with the summer playground fees.

As background information, the proposed fees provided by Zoning Officer McManus were listed on a sheet of the fees from other Hunterdon County municipalities who answered a survey. Construction Permit Fees were reviewed in comparison to the other municipalities; \$30 for decks, fences, sheds, finished basements, interior renovations, oil tanks, A/C units, wall and ground signs, and other accessory structures was comparable to some other municipalities. Deputy Mayor felt that East Amwell's proposed fee of \$200 for new single family residents was too high and suggested \$150 (the same as West Amwell's).

Mr. Mathews asked for clarification, i.e., if constructing, would he now have to pay both the construction fee and a review fee; Mr. Kneski explained that fees paid for construction would go directly to Raritan Township; the zoning process would be East Amwell's review, and the intent is that the building permit would comply with local zoning requirements. If the construction did not involve zoning, e.g., electrical, kitchen renovations, etc., there would not be a zoning review. Mr. Matheny explained that the Zoning Officer does reviews now anyhow, and that Raritan would send an applicant back to the Zoning Officer for a review for specific permits. The cost of the zoning permit review would help to cover the costs for the Zoning Officer.

The Clerk asked about the amount set for additions at \$100. Mr. Mathews commented on costs being placed on citizens who develop or use their properties and "doing what's good for East Amwell" rather than using fees from a survey; Mr. Kneski mentioned surveys of fees from other municipalities of a comparable size as a reasonable means to set fees. Mayor Tatsch explained

the need to determine appropriate fees to help recover costs of running the department, similar to how construction offices operate; he noted the deficit now because of a lower number of applications. He also reminded the Committee that the fees can change from year to year.

Mayor Tatsch asked for a consensus to move ahead with the fees to try to cover costs of the zoning function and try to lower the tax burden on everyone by charging fees to the people who are using the services. Mr. Mathews suggested a fee structure of paying for zoning reviews "by the piece rather than paid a salary." Mayor Tatsch and Mr. Kneski explained Zoning Officer responsibilities, other than construction permit reviews, noting a conflict of interest in having an employee approve applications as a basis of his salary.

Deputy Mayor Cregar suggested dropping addition reviews to \$50.00.

Mayor Tatsch explained that the stormwater management review fee would only be charged for those applications that went to the Township Engineer for review. Engineer review is substantial, but he believed it was appropriate to start with \$50 to see how the fee would cover costs. Mayor Tatsch explained the process of Zoning Officer review, whereby he would send it along to the Township Engineer in the event that the owner exceeds over 50% of the statute requirements. Mr. Kneski and Deputy Mayor Cregar were in favor of the fee, and Mr. Kneski agreed that the governing body could look at it again in the future if changes occur.

Summer Playground fees were reviewed, noting that there was information previously provided to the Township Committee on fees charged by other municipalities, some ranging from \$250 a week for a full time program to \$100 per session in other municipalities. Mayor Tatsch recommended a tiered program of \$85 for the first child, \$60 for the second, and a maximum of \$185.00 for three or more children. The current cost to run the program is \$6,000, and Mayor Tatsch felt that it would be "fair if those who benefit provide some of the costs." The fees would help subsidize the program and pay for supplies and teachers.

Mr. Matheny spoke with Treasurer Luhrs today and discussed a late registration fee. One of the directors will not be coming back, and depending on the number of students who sign up, hiring an additional director will be decided. Having an accurate list of participants in advance was the goal. The following language was added: "A \$20.00 late fee will be charged after noticed deadline."

The final part of the amending ordinance removed specific language in Chapter 6, Charges for Copies of Township Records relating to older copy charges.

INTRODUCTION OF ORDINANCE 11-12

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EAST AMWELL TOWNSHIP
ORDINANCE #11-12

AN AMENDMENT TO THE CODE OF EAST AMWELL TOWNSHIP, SPECIFICALLY CHAPTER 75, FEES, TO INCLUDE SUMMER PLAYGROUND FEES, FEES FOR ZONING OFFICER PERMIT REVIEWS FOR CONSTRUCTION, AND FEES FOR STORMWATER MANAGEMENT REVIEWS, AND CHAPTER 6, CHARGES FOR COPIES OF TOWNSHIP RECORDS

BE IT ORDAINED by the Township Committee of the Township of East Amwell, that they hereby amend the Code of the Township of East Amwell, Chapter 75, Fees, as follows:

§ 75-1. Event fees. **Change heading to Event fees and miscellaneous fees**

Add under A. The fees for recreational and athletic events shall be as follows:

- (2) Fee for participation in the Summer Playground Program Sponsored by the Township: \$85 for one child; \$60 for second child from same family; maximum of \$185 for three or more children from same family. A \$20.00 late fee will be charged after noticed deadline.

Add under B. Miscellaneous fees

(6) Fee for Zoning Officer Review of Construction Permits:

(a) \$30 for decks, fences, sheds, finished basements, interior renovations, oil tanks, A/C units, wall and ground signs, and other accessory structures.

(b) \$50 for additions (residential and non-residential).

(c) \$150 for single family residential (new structure).

(d) \$50 for stormwater reviews sent to the Township Engineer.

BE IT FURTHER ORDAINED that Chapter 6, Charges for Copies of Township Records, be amended as follows:

§ 6-2. Basic charges.

Remove the second sentence: “Except as otherwise provided by law or regulation, the fee assessed for duplication of such government record embodied in the form of printed matter shall be the following: first to 10th page, \$0.75 per page; 11th to 20th page, \$0.50 per page; all pages over 20, \$0.25 per page.”

This ordinance shall take effect upon publication, according to law.

By Order of the Township Committee,

C. Larry Tatsch, Mayor

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

Introduced:

Adopted:

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Motion by Mr. Kneski and seconded by Deputy Mayor Cregar to approve introduction of the ordinance.

The Clerk asked the governing body to consider adoption at a special meeting so that the registration can take place as quickly as possible. The June meeting for adoption would not give sufficient time. The governing body agreed on a special meeting on May 19, 2011.

The introduction of the ordinance was carried unanimously. The public hearing will take place at a special meeting to be held on May 19, 2011, at 7:30 p.m. at the municipal building, and public comments will be heard at that time.

There was a five-minute recess at 8:15 p.m., and the Township Committee moved from the dais down to floor level. The meeting resumed at 8:20 p.m.

Mayor Tatsch explained that all questions and comments would be entertained and he encouraged everyone to "throw out ideas...looking for real value ... and visions for now and 5 - 10 years in the future." He set a time limit on the meeting until 10:00 p.m., noting that meetings like this took place in the past and will be held again in the future. Mr. Matheny will act as moderator and had access to a flip chart and markers. The meeting was divided into three categories: 1) providing Hunterdon County with four shared services options to benefit East Amwell in a reasonable manner - these will be presented to the County at a meeting at the end of May; 2) suggestions for short range items; 3) vision items and goals to work towards.

Ideas were listed as follows:

1) Animal Control Officer at a more economical cost than what the Township now pays and with more services; the Township currently pays \$1.95 per capita - more services to the municipality would be an asset.

2) Recycling Coordinator and Enforcement Officer.

3) County Garage Repair of municipal equipment at a more economical cost than sending trucks and equipment to private garages.

4) County and Local Department of Public Works coordination of services, e.g., if the County is near one of our high priority mowing roads (near farmland), they would mow the area, and East Amwell may take care of County road potholes if they can.

5) Asset Inventory - set up a data-base of equipment or items to sell or trade between municipalities. This item was discussed further, noting a database developed a few years ago and there are some items to share. A suggestion was made to have the County purchase capital equipment, including computers, to distribute and manage and lease to the municipalities.

6) Park equipment and signs at a reasonable cost, e.g., signs, message boards, trail markings, etc. to provide uniformity in parks.

7) Rolling health services, e.g., inoculations, blood screening, testing, etc.

Gail Glashoff, 139 John Ringo Road, asked about the shared services being recommended to the County, and Mayor Tatsch explained the request from the County for ideas from which the municipality would benefit. Ms. Glashoff mentioned township shared services; it was explained that the arrangement with East Amwell Township School for plowing, mowing, janitorial service, and other services benefits the taxpayers and is working well. Ms. Glashoff mentioned informal sharing between municipalities, especially between Public Works; Mr. Matheny cautioned that no municipality wants to subsidize another.

8) County as "hub" for shared services agreements to arrange standardized agreements between municipalities for a neutral look at issues.

Dick Ginman, Mountain Road, asked about police coverage as a shared service from the county. Some discussion took place, including the fact that the municipality would be required to spend several hundred thousand dollars for a service, and quality service would be expected.

Toni Robbi, Hopewell-Lambertville Road, commented on "all good ideas," referencing the item on equipment repairs by the County; he questioned money to be saved, e.g., salary, health benefits, and pension for county employee vs. private sector repair bills.

Nancy Cunningham, Wertsville Road, suggested that the South County Fairgrounds be made available with walking trails (people and dogs) and other access. Mr. Ginman mentioned land owned by the County across the street from the Fairgrounds also.

9) South County Fairgrounds made available to the public for other uses.

Frances Gavigan, 123 Wertsville Road, mentioned paying Raritan Township for construction as "economically driven" and suggested negotiating a cost for Zoning Officer coverage also. She also mentioned County assistance, such as using their in-house counsel for legal review for shared services agreements, purchasing, bid documents, administration, and use of the County engineer. Personnel sharing and transfers at the County was also suggested, e.g., county coordination of shared mowing or plowing routes to save gas money.

10) Routine or generic legal services.

Les Hamilton, High Mowing Road, mentioned discussions in the past about aggregation and group purchase for utilities, such as electric. Mayor Tatsch mentioned the natural gas cooperative purchase resolution by the governing body a few years ago.

Ron O'Reilly, Losey Road, asked about cooperative purchase of paper and supplies. Mr. Matheny mentioned savings through state bid and through coupon use by the Deputy Clerk and the high costs to join some cooperatives.

11) Aggregation or cooperative purchase of utility services

Glorianne Robbi, Hopewell-Lambertville Turnpike, mentioned in-house planning/legal reviews not being utilized at the County, providing details on an acquisition application, which processed slowly. Comments were made about effecting change at the County level and difficulties in doing so.

Mayor Tatsch asked for prioritization of the items to submit to the County. Three items mentioned were sharing equipment, sharing DPW, and the ACO.

Gail Glashoff suggested shared medical benefits with the County; Freeholder Ron Sworen looked at this a few years ago, but the County was unable to incorporate municipalities at that time. A suggestion was made that circumstances may have changed.

12) Municipal Medical Benefits by County

Glorianne Robbi asked about a County Recycling Coordinator at the County years ago. Comments were exchanged about the roll Terry Martin played at that time and the current state regulations for enforcement, including specific certification and training requirements.

The governing body agreed to add the County as a hub for shared services/issues and agreements as the fourth recommendation to the County at their next shared services meeting. All suggestions made tonight will be presented, emphasizing the four highlighted. Mr. Mathews will provide text to the shared county assets/equipment item.

Mayor Tatsch asked everyone to consider short-term ideas.

Mr. Mathews suggested communal adoption of roads, including planting bulbs as a beautification process and eliminate mowing; Mr. Robbi cautioned that the Environmental Commission would like to see certain plants only.

Mayor Tatsch suggested as "a point of pride" a sign at the entrance to town "representing the rural nature and beauty of the township." Additionally, at a prior brainstorming meeting, bumper stickers were suggested and some artwork was obtained. This idea was resurrected; having some copies to give out or recouping costs of production was mentioned.

Mr. Mathews suggested the fire company and the rescue squad might be able to share resources, e.g., the fire company has an empty building since moving trucks to their new barn area, and the rescue squad might be able to use it. The company and squad would need to communicate about this.

Mr. Matheny mentioned a program he attended on installing solar at the municipality, highlight the program as follows: the company installs "Solyndra" (a coiled type material) on the municipal building roof with no penetration; they are lighter weight than panels although efficiency is not as great; the company gets the energy credits and the township could save up to \$200 in electricity costs per month; the company representative lives in West Amwell, and Mr. Matheny offered East Amwell as the beta site as the first New Jersey installation; the only fees would be for permits and for an engineering study on weight; the contract is for five years, after which time the Township owns the equipment - it would be removed at no cost if the municipality wishes to do so; the company maintains the units during the contract period; if the municipality finds a "better deal" during the contract period, they will take the equipment away; federal funding may "dry up" in 15-20 years and conditions may change; this is not the same type of incentive as East Amwell School, who is leasing the land; Mr. Mathews provided information on the solar installation and incentives at ETS.

Kathy Machnik, 108 Old York Road, asked about maintenance responsibility. Mr. Matheny said that the company would maintain, even after the five-year contract ends since they still get

the credits. There would be no contract after five years, and the equipment is donated to the Township.

Dart Sageser, 15 Welisewitz Road, mentioned a presentation by Howard Fleischer to the Planning Board, suggesting that there maybe many incentives going around with strong marketing techniques; having reliable information was important. Mr. Mathews suggested a pool of interested parties in East Amwell to consider the matter; Mayor Tatsch mentioned a previous presentation by a local resident on this topic, mentioning changing technology and improvements along with incentives. Mayor Tatsch suggested moving ahead with an assessment and obtaining a sample contract to review; Mr. Matheny provided information on a time frame to be completed in order to obtain incentives. Mr. Mathews suggested looking at other providers also, including checking with local people for similar options available through them - he recommended contacting Chuck Miles to find local providers. Specifics on warranties were mentioned.

Mr. Mathews asked about hiring local plowers to fill in gaps during the winter, mentioning the name of a local resident who used to plow for the township. The Township Committee used to allow the DPW to hire local assistance through the salary and wage ordinance and as local contractors; however, the providers would have to carry necessary insurance coverage, which was an issue. The item would be added to the short range list for future discussion.

Mr. Kneski noted that four items discussed at the brainstorming meeting in 2008 were completed, i.e., energy efficiency, cat vaccination awareness; volunteer training; decals moving forth; Mr. Mathews mentioned a baseball sub-website providing logo covered "everything" with proceeds going back to the league.

Dart Sageser suggested historic signage throughout the township, especially at key entry points. Some discussion took place about new signs going up on Wertsville Road and at the Dippolito property - it was speculated that the County was putting up these signs.

Frances Gavigan suggested using the County sign department to make signs for the Township, including welcome or slow down signs - she'll speak with the Freeholders about this. Mr. Matheny previously asked the DPW Superintendent about this matter. All were in agreement that this might be a good shared service if the signs were made more economically at the County than through Deptcor.

Toni Robbi asked about signs for major stream crossings, suggesting that it may help develop appreciation for the environment.

Gail Glashoff commented on plantings along roads, which was an interest by past Environmental Commissions who wished to line certain roads with trees.

Ron O'Reilly mentioned the decal idea, suggesting a contest to design historic decals as a way to make residents aware of the history of the area.

Frances Gavigan mentioned the County's work on the Crossroads of the American Revolution, with areas of interest located in East Amwell. She suggested "doing something down here," including preparing another historic calendar and possibly obtaining ads to cover project costs.

Mayor Tatsch asked those present to now consider long range vision.

Mr. Kneski mentioned discussions with the Freeholders on the use of South County Park and the area owned by the County across the street. He would like to see East and West Amwell work together on the future use of the land, including possible ball fields or recreational use, as is allowed in the Hunterdon County Master Plan.

Mayor Tatsch spoke about the unused portion of the Black River and Western Railroad tracks between Ringoes and Lambertville. He would like to see the development of a rail-trail for public use, similar to what is seen in Lambertville at the Tow Path and in Poughkeepsie, New York, e.g., trails for walking, biking, skiing, etc. Mr. Kneski commented on the possibility of obtaining grants for this type of project.

Mayor Tatsch hoped that beyond his tenure the clean up of the Meszaros property would continue. He mentioned fulfilling the requirements of the grants so far, and while there are some issues to resolve, it is important to continue progress, including getting lien-holders interested in agreements.

Mayor Tatsch opened the meeting to the public for comments.

Dart Sageser, who serves on the Planning Board, spoke about sponsoring a way for neighborhood input on visions of the township in the future. He spoke about special components of the town, including areas such as Ringoes, Reaville and Wertsville, and he suggested that over the next five to ten years, vision be given to alleviate continued deterioration and look for development to fully utilize areas of this farming community. Mayor Tatsch commented on a number of houses in deterioration in Ringoes, hoping for a way to rectify the situation; Mrs. Cregar commented that this has been a long time issue. Comments were exchanged, including the possibility of allowing appropriate businesses in the area, bed and breakfasts, wireless zones for professionals and home offices to come to the area, developing a community and providing publicity about it as a "nice little place." Mrs. Cregar mentioned fixing up the Grange too. It was agreed that this is a long-term vision item.

Frances Gavigan commented on the sewer issues in Ringoes, suggesting a micro or mini sewer treatment area. Mayor Tatsch provided anecdotal information about the Board of Health discussions with the public on this issue many years ago. Ms. Gavigan mentioned good soil areas for possible treatment systems. Mayor Tatsch also cautioned against developing anything that would trigger COAH activity, elaborating on this. Mr. Mathews suggested offering a prize to an engineer to develop new implementation for low footprint septic systems; Mayor Tatsch explained that these systems are state controlled and regulated.

Mr. Mathews mentioned geo-thermal wells, explaining their operation, and suggesting that there may be "hot-spots" for installation of these units.

Frances Gavigan suggested identifying Ringoes as an urban development zone which might qualify for financial incentives.

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

Mayor Tatsch thanked everyone for the "productive meeting" and "great ideas." He suggested that the ideas mentioned be written up for the County's next shared services meeting. He suggested getting the other ideas into some kind of format and prioritize them to see how to move ahead, e.g., set up subcommittees or get started on some of them.

Motion by Deputy Mayor Cregar and seconded by Mr. Kneski to adjourn the meeting.

Frances Gavigan asked to make a public comment. She asked for a letter of support for a bridge to go to the DEP with revised plans. Mayor Tatsch asked her to get something to the Clerk for inclusion on the May 12th regular meeting agenda.

The motion to adjourn was carried unanimously at 10:05 p.m.

Teresa R. Stahl, RMC/CMC
Municipal Clerk