

The regular meeting of the East Amwell Township Committee was called to order at 7:30 p.m. Present were Mayor C. Larry Tatsch, Deputy Mayor Patricia Cregar, and Committee members Linda Lenox, Peter Kneski, and Tim Mathews. Township Administrator Timothy Matheny and Attorney Richard Cushing were also in attendance. Township Committee elect member Dart Sageser was also present.

In compliance with the Open Public Meetings Act, Municipal Clerk Teresa R. Stahl announced that this is a regularly scheduled meeting, pursuant to the resolution adopted on January 2, 2011, and a meeting notice published in the Hunterdon County Democrat issue of January 6, 2011. 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 December 6, 2011.

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

AGENDA REVIEW

Under Correspondence, East Amwell, note that the 12/3 email from Attorney Cushing should read Attorney/Client Privilege.

Under New Business, move Tax Assessor Items up under Special Discussions since Marianne Busher is in the audience to present.

ANNOUNCEMENTS

Municipal Offices will be closed on the following days: December 23, 26, & 30, 2011

There are two regular Township Committee Meetings in December, 8th and 29th

The Township Committee will hold its annual reorganization meeting on Sunday, January 1, 2012, at 2 PM

APPROVAL OF MINUTES

November 10, 2011, Minutes were approved on a motion by Ms. Lenox, seconded by Mr. Kneski, and carried with the following corrections: page 3, paragraph 2, line 10, change "running for office" to "not a candidate"; same paragraph line 18, change "my" to "his"; same paragraph, line 20, change "the" to "her."

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

Dick Ginman, Mountain Road, complimented the Township for having Rutgers Nursery removing storm debris, saying that the crew was working on Mountain Road. He mentioned his own experience with a private contractor with a crew of 7 taking two days to remove debris from his property. He commended the Township and noted that his neighbors were appreciative also.

Andrea Bonette, 17 Ridge Road, stated that the Freeholders did not approve of brush pick up at the county level. She wanted to correct an older set of Township Committee minutes from March 10, 2011, which are not precisely accurate. On that evening, Township Committee member Linda Lenox said she (Ms. Bonette) was crazy, and she believed that it was appalling and showed poor manners and disrespect, and it was inappropriate for a Township Committee member to say. Mrs. Bonette also commented on "outright lies" being made about disputes with her neighbors since 2003, choosing to ignore the few people who repeat that it cost her neighbors \$25,000. There is no evidence of this in transcripts she has from the Board of Adjustment and court hearings in Superior Court. This year Ms. Gavigan has increased the amount from \$25,000 to \$36,000 and put it in the newspaper, which Mrs. Bonette believed was "out of control." She made a wager of offering \$500 to a 501C3 entity of anyone's choice if they could prove that I

cost anyone five cents. She added that if anyone took the bet and was unsuccessful, they should be prepared for a liable slander lawsuit. She offered this to Frances Gavigan and anyone else who was repeating this claim.

Mrs. Bonette also spoke about Jessica Isenhour, noting that she took two photos of her. She has been charged with 15 criminal and civil complaints by the SPCA for animal cruelty, and there is a court hearing in Lambertville on December 21 in case anyone from East Amwell wanted to attend. Mrs. Bonette showed pictures of a post office box in Clinton, which was Ms. Isenhour's address where she conducts business, and she had information on the NJ SPCA charges in detail and an article from the Trenton Times if anyone wanted them. She invited people to the December 21 hearing in Lambertville.

Joan McGee, Lindbergh Road, wished everyone Merry Christmas. She mentioned a main topic of farmland preservation issues, referencing the preservation of the Henssler property around the Wolfe property for which top dollar was paid for 150 acres. Ms. McGee said that the property owner lives in London, and while Barbara Wolfe was on the Planning Board, the property was perc tested for days on end without results for one lot on the 150 acre parcel, mentioning information in the township files. She said that she was advised by email not to tell anyone that the property did not perc, saying that the intent was to have property around Ms. Wolfe's house preserved, and she felt that there was "outrageous, EADA insider dealings and sleaziness."

Ms. McGee also mentioned that she has received not one response to her 3 or 4 requests regarding the Scibilia property, noting that Mr. Cushing's firm is charging for work on Scibilia, when 15 years or more ago, the Township was in a rush to preserve and then Township Attorney Dick Dieterly (same firm) decided not to require a survey, and this could be verified by Mrs. Cregar and Fred Gardner. She noted that the Township has still not been reimbursed; has paid interest on bonds; has waived fees for the property owner while not waiving fees for Helen Rynearson (who has complied with everything); and has allowed zoning violations and non-conforming uses on the property. She mentioned thousands of dollars paid to attorneys, hundreds of thousands of dollars being lost, and asked if there was an idea when closing would take place. Mayor Tatsch explained the Wells Fargo Bank Subordination to SADC, which would not be accepted by SADC. Ms. McGee suggested looking at the history of the site, noting all liens were paid off when the property closed. Mayor Tatsch explained that the issue was a mortgage; however, Ms. McGee felt that issues should have been resolved 10-12 years ago.

Ms. McGee referenced the Lang property, which has conservation and trail easements on it, and she suggested making sure that the appraiser is aware of them since they are not on the easement map (and other easements may not be on the map). She felt that the easements would affect the value.

Ms. McGee mentioned the Clawson Park property, with a subdivision plat from the late 60's showing a natural spring, which cannot be dammed. She spoke about drainage easements on Iron Horse that residents put trees in. She suggested checking the files for further details.

Diane Harrington, Boss Road, spoke about recent brush pick up. Mayor Tatsch said that a notice was placed in the Hunterdon County Democrat, flyers went home with school children, and it was posted on the website that curbside pick up would begin on November 21. Ms. Harrington mentioned that previously the Clerk advised that there would not be curbside pickup; it was noted that the decision to collect curbside was not made until the November Township Committee meeting (after Ms. Harrington's call to the Clerk's Office). The grityard is still open at all times for residents to bring their branches.

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

INTRODUCTION OF ORDINANCES/PUBLIC HEARINGS

Introduction of Ordinances – none

Public Hearings:

ORDINANCE 11-13: AN AMENDMENT TO THE CODE OF EAST AMWELLTOWNSHIP, SPECIFICALLY CHAPTER 75, FEES, TO INCLUDE FEES FOR ZONING OFFICER PERMIT REVIEWS FOR CONSTRUCTION AND FEES FOR STORMWATER MANAGEMENT REVIEWS, AND CHAPTER 6, CHARGES FOR COPIES OF TOWNSHIP RECORDS

As proof of publication, the November 17, 2011, legal notice from the Hunterdon County Democrat was shown. The ordinance has been posted and available to the public since introduction on November 10, 2011.

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

Deputy Mayor Cregar made the motion to adopt Ordinance 11-13; it was seconded by Mr. Kneski, with no comments being made by the governing body. The motion was adopted on roll call vote: Mr. Mathews, no; Ms. Lenox, yes; Mr. Tatsch, yes; Mrs. Cregar, yes; Mr. Kneski, yes.

SPECIAL DISCUSSIONS

10-8 REQUEST FROM RUTGERS CYCLING FOR RACE ON MARCH 4, 2012, USING COUNTY AND LOCAL ROADS (SEE NOVEMBER 2011 MINUTES FOR BACKGROUND)
George Ghanim, President of the University Cycling Team, was present for discussions.

Mr. Ghanim provided information on the request to have a season opener of "a Triple C" event similar to what was done a few years ago. The race will be held on Saturday, March 3, and he provided information on the course between East Amwell and Hillsborough. Safety is a main concern, and the course will be marshaled by volunteers with police located at intersections. The course is usually a "rolling enclosure" including police officers, cyclists, and follow cars, enacting a "yellow line" to follow rules of the road. The event is sponsored by the U.S. Cycling Association (USCA), and the group will be insured. Mayor Tatsch noted that Wertsville Road is a County Road, and the organizers would have to get county approvals.

The Township Committee and Mr. Ghanim continued to exchange comments about the event: Wertsville Road would be closed for the start and finish of the race; the rest of the time, the rolling enclosures would be mobilized; traffic would be able to get through when the rolling enclosures are not occupying the road (with Mr. Ghanim providing specifics on how long different levels of bikers would take to complete the course). Different races will take place throughout the day from noon to 5 p.m.; Mr. Ghanim provided information on the different levels of riders who would be participating. Mayor Tatsch commented on safety and convenience for the residents, noting that the previous race was on a weekday, not a weekend; he also suggested that residents be notified of the event, and Mr. Ghanim said that flyers would be provided to residents in the area and information would be printed in the local newspaper.

Mr. Mathews asked about bicyclist waivers; Mr. Ghanim explained that the USCA is sponsoring the event and the municipality is insured. Mr. Cushing said that insurance was better for the municipality than waivers, recommending that the club provide the insurance certificate in advance so that the Township's insurance company could review it.

Mr. Mathews asked about the yellow lines; these lines are not on local roads, but where they are designated, the bicyclists are expected to stay on the right side of these lines. Mr. Mathews asked how many riders there may be, e.g., 500 or so? Mr. Ghanim said that the elite group may have 30 riders, and lower groups around 40-50 members, not all on the road at one time. Comments were exchanged about aggressive riders and drivers and the need to protect both of them. Mr. Mathews commented on cars getting stacked up until the rolling enclosure gets through.

Mr. Kneski cautioned about leaving debris on the roads, such as water bottles, wrappers, etc. Mr. Ghanim said that garbage cans would be available, and the collegiate cyclists would be asked to cooperate, but it was impossible to control litter. However, volunteers will ride the course after the event "and leave it better than they found it."

Mr. Sageser asked about the route from Hillsborough to Rileyville, and Mr. Ghanim spoke about staging on a parking lot in Hillsborough. He will send a larger version of the map. Bicyclists will follow the rules of the road on the course.

Mr. Matheny asked about state police coverage; if the Township approves the race, the organizers also have to get USCA approval, and they will then go to the police for assistance. They hope to hire off duty officers to work at the intersections of the roads. Mr. Mathews asked if there was a "plan B" - if not approved, the event will take place at a park as "the worst case scenario."

Mayor Tatsch was supportive of the event but realized that it was not without issues and concerns, including some inconvenience, possibly five minute intervals during the races. He personally supported the race, provided that the organizers got necessary approvals, including from the State Police, and if any changes are anticipated, the organizers should come back to the Township for a similar review.

Mr. Mathews asked that the insurance be reviewed to make sure that it was adequate, and he would like to see the communication plan for affected residents be sent out early in advance. Mr. Ghanim said that it could be available for the next Township Committee meeting.

Motion by Deputy Mayor Cregar, seconded by Mr. Kneski, and it was carried unanimously to approve the race, contingent upon the State Police approval and a suitable communication plan being prepared.

TAX ASSESSOR MARIANNE BUSER ITEMS:

1) 11/20 Request for Decision on Tax Assessment of D & R Properties, B. 20/L17.01 & B. 21/L1: Mrs. Buser explained that D & R Greenways purchased the properties, and she received a letter dated September 15 from the NJ DEP Commissioner Bob Martin that the property were ineligible for tax exemption because of a clerical mis-step in not providing a legal publication in a timely manner. She did not believe that she had the authority to approve the tax exemption and came to the governing body for a determination on how to proceed.

Mr. Mathews asked if D & R could reapply. Mrs. Buser said that they could apply for 2013, but not for 2012. The other issue is that the land was previously farmland assessed but papers were not filed for 2012 because of the intent to preserve, so the taxes would increase substantially, providing specific details. She stated that the property otherwise qualifies for tax exemption except for the public notice error.

Mr. Cushing agreed to look into the matter, stating that this would have a huge impact on D & R Greenways. He also spoke about possible roll back implications, which he would have to consider. Mrs. Buser commented on a burden to the organization for a relatively minor oversight and asked again for the governing body's direction. Mr. Cushing agreed to have an opinion for the December 29 Township Committee meeting since Mrs. Buser must know by January 10th to prepare the tax records for next year.

2) 12/6 Email from Attorney Allen Re: Hunterdon Storage Settlement & Request for Resolution: Attorney Cushing stepped down from the dais during discussion of this matter due to a conflict of interest.

Mrs. Buser explained that the issue deals with a tax appeal from Hunterdon Storage due to the revaluation in 2005. The assessment at that time was \$2,781,000. In 2010 the owner appealed, and since the appeal was over the \$750,000 threshold, the appeal went to the State. An appraisal of the property came in at \$1,687,000. Mrs. Buser spoke about proactively reducing the assessment by \$100,000 and working out a settlement, as outlined in the Stipulation of Settlement (attached to the official set of minutes). Mrs. Buser said that the Township Committee needed to approve the settlement. Mrs. Buser also noted the decline of value since people are not utilizing storage units as much as in the past and storing at homes instead. Mr. Mathews noted a statement in the stipulation about future taxes; Mrs. Buser said that the freeze act does not apply.

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RESOLUTION #154-11

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby approve the stipulation of Settlement for Hunterdon Storage Inc. v. East Amwell Township, known as Docket No. 006673-2010 in the Tax Court of New Jersey; and

BE IT FURTHER RESOLVED that Attorney Martin Allen is hereby authorized to sign the Stipulation of Settlement on behalf of East Amwell Township (as attached to the original set of minutes).

By Order of the Township Committee,

C. Larry Tatsch, Mayor

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Motion by Mr. Kneski, seconded by Deputy Mayor Cregar, and it was carried unanimously.

Mr. Cushing returned to the dais.

SPECIAL COMMITTEE REPORTS - None

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE

1) Resignation of Member Rob Mulcahy: Rob Mulcahy sent an email dated November 17, 2011, stating that he would be resigning from the Recreation Committee. Mayor Tatsch stated that this was an important committee and felt that the Township Committee should accept the resignation with regret. Motion by Ms. Lenox, seconded by Mr. Kneski, and it was carried unanimously to accept Rob Mulcahy's resignation with regret and appreciation for his hard work.

FARMLAND/OPEN SPACE PRESERVATION

1) Resolution to Enter Executive Session to Discuss Appraisal for Lang Property, B. 27/Lots 53 & 53.01 (see 12/5 memo from Judy Conard): The governing body agreed to hold this item until later in the meeting when another executive session would be held.

UNFINISHED BUSINESS

TOWNSHIP ADMINISTRATOR'S UPDATE

1) Best Practices/Pay to Play Ordinance: Treasurer Kathy Monzo's November 16 email indicated that nothing had to be done to correct the checklist in the event that the Township Committee decided not to adopt the ordinance. The Clerk did check the calculations, and there would be no change in state aid figures if this item was not an affirmative one. Mayor Tatsch felt that the new Township Committee should consider the adoption of the ordinance, stating that by doing so, it sets a tone that we will not accept contributions in excess of the amount, that it makes an official statement, and it would put the Township in a better ranking in the future if the ordinance is in place. He asked the Township Committee to consider the ordinance in the new year.

2) POP/FSA - Resolution for Participation: Mr. Matheny said that the employee benefits are in place to begin in January, commending Ms. Monzo on a "nice job of ironing this out at the lease expensive cost."

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RESOLUTION #155-11

WHEREAS, the Corporation (East Amwell Township) adopted the Section 125 Cafeteria Plan (hereinafter, the "Plan") under Section 105, 125 and 129 of the Internal Revenue Code in order to enable its employees to choose between qualified benefits under the Plan on a tax-excludable basis and/or taxable cash compensation as well as receive reimbursement for certain unreimbursed medical expenses and/or certain dependent care expenses; and

WHEREAS, the Corporation desires to amend and restate the Plan to reflect recent changes made under the Plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors (Township Committee) hereby approves the amendment and restatement of the Plan (consisting of the Plan Document and the Adoption Agreement attached thereto) effective as of January 1, 2012; and

BE IT FURTHER RESOLVED, that the officers of the Corporation are authorized and directed to take any and all action as may be necessary to effectuate this resolution.

By Order of the Township Committee,

C. Larry Tatsch, Mayor

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Motion by Mr. Mathews, seconded by Ms. Lenox, and it was carried by unanimous vote to approve the resolution.

3) Raritan Township November Police Report - 35 Summonses in 16 Hours: Mr. Matheny said that the officers are still patrolling and enforcing, including at hot spots such as the golf course on Wertsville Road.

4) Resolution to Appoint Interim Judget Edward Martin: Mr. Matheny reminded the governing body that the Governor has the authority to appoint joint court judges, and Edward Martin is currently going through the approval process at the state. Judge Petronko is retiring at the end of December, and a recommendation is being made to appoint Judge Martin for an interim period until the State process is complete. Mr. Cushing stated that in his experience, the Assignment Judge makes the assignments, so he suggested different language in the proposed resolution to "support the appointment" rather than "appoints."

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RESOLUTION #156-11

WHEREAS, John Petronko, Jr., Esq. currently serves as Judge for "The Municipal Court of East Amwell and Delaware Townships" (Joint Municipal Court); and

WHEREAS, Judge Petronko submitted a letter dated June 24, 2011 notifying both Township Committees that he will retire from this position as of December 31, 2011; and

WHEREAS, the Delaware Township and East Amwell Township Committees have recommended to Senator Shirley Turner, Senator for New Jersey Legislative District 15, that Governor Chris Christie appoint Edward R. Martin, Esq. to the position of Judge for the Municipal Court effective January 1, 2012; and

WHEREAS, Governor Christie has not yet formally made the new Municipal Court Judge appointment for the Municipal Court; and

WHEREAS, the Municipal Court system must continue to function without any lapse in the judicial position;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of East Amwell, County of Hunterdon and State of New Jersey hereby supports the appointment of Edward R. Martin, Esq. to serve as Interim Judge for "The Municipal Court of East Amwell and Delaware

Townships" effective January 1, 2012 to serve in this judiciary position until such time as Governor Christie formalizes this appointment.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to Governor Chris Christie, Senator Shirley Turner, and the Township of Delaware Township Committee.

By Order of the Township Committee,

C. Larry Tatsch, Mayor

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

5) Resolution of Appreciation for Judge John Petronko: The resolution was being offered in recognition of the retirement of Judge Petronko in appreciation for his years of fine service to the community.

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RESOLUTION #157-11

**RESOLUTION OF CONGRATULATIONS
UPON THE RETIREMENT OF JUDGE JOHN PETRONKO**

WHEREAS, John Petronko has served as Municipal Court Judge for the Joint Court of East Amwell Township and Delaware Township and the Shared Court with Stockton Borough in more recent years, beginning his term in January 2003; and

WHEREAS, in a letter dated June 24, 2011, Judge Petronko notified the municipalities of his intent not to seek reappointment at the end of December 2011; and

WHEREAS, Judge Petronko served admirably on the bench for the past nine years, handling the role of Municipal Court Judge with dedication and professionalism and oft times making some difficult decisions,

NOW, HEREBY BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby extend to Judge John Petronko the Township of East Amwell's appreciation for many years of excellent service and convey to him all best wishes for a very happy retirement and continued good health to enjoy time with his family; and

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Judge Petronko by the Mayor of East Amwell Township.

By Order of the Township Committee,

C. Larry Tatsch, Mayor

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Motion by Mr. Kneski, seconded by Ms. Lenox, and it was carried unanimously to approve the resolution.

6) Resignation of Martha Pittore as Recording Secretary for FOSPC and Historic Preservation: The Township Committee received the letter from Mrs. Pittore resigning from both committees due to a new employment opportunity. The Township Committee agreed that they would accept her resignation with regret and provide her with a resolution of appreciation for the great job she has done.

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RESOLUTION #158-11

WHEREAS, the Township Committee of the Township of East Amwell received notice from Martha Pittore that she would be resigning her positions as Secretary of the Farmland/Open Space Preservation and Historic Preservation Committees, effective December 31, 2011; and

WHEREAS, Martha began her service with the Township of East Amwell in the Spring of 2004, starting as the Farmland Open Space Recording Secretary, thereafter taking on the roll of the Stormwater Management Secretary for a short term and eventually taking on the position of Historic Preservation Secretary; and

WHEREAS, the Township Committee appreciates all the years of excellent service from Martha, who was both an employee and a resident of the Township, knowledgeable that her high standards, dedication, and professionalism resulted in excellent record keeping for the Township in perpuity;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of East Amwell Township that Martha Pittore be recognized for her years of faithful service and that they hereby wish her all the best as she sets forth on a new career.

By Order of the Township Committee,

C. Larry Tatsch, Mayor

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

7) Posting of FOSPC & Historic Preservation Secretary Positions: Mr. Matheny said that the postings for the positions were done at different times, and they were posted internally and one posted outside also (the website). He will have a recommendation for the December 29th meeting. Mayor Tatsch asked about the number of hours; the Clerk said about 2.5 or so hours per meeting are put in for payroll.

8) Update on League of Municipalities Resolution for Power Restoration to Rural Communities: Mr. Kneski attended the business meeting at the League and the resolution was approved to be passed along to the legislature and to the BPU for consideration. Mayor Tatsch thanked Mr. Matheny and Mr. Kneski for "stewarding" the resolution.

9) Brush Pickup Update: Mr. Matheny explained that the DPW realized that they needed help after the storm on the 29th and 30th of October. They were inundated with calls. The crew worked with Rutgers Nursery who had a chipper and a crew of 2 members for four days the week of Thanksgiving "free of charge." The company came back the following week at \$500 per day for four days that week and three days this week. Using the outside source made for good progress; however, the DPW is noticing that people are now dragging older material to curbside for pickup. The DPW is doing the best that they can, but they will not go back indefinitely to pick up materials.

Mayor Tatsch explained that the process adopted was that once a road was complete, there would be no call backs. However, if they saw materials out and were in the vicinity, they would pick up. The notice to the public was to have material on the curb by the 21st. He reminded the Township Committee that the DPW also has its regular work to do, such as pothole filling and chipping.

Mr. Kneski asked about getting money from FEMA since the President issued a proclamation that NJ was a disaster area. Mr. Matheny said no word has yet been received since FEMA is still closing out Hurricane Irene damage. He mentioned success in past snow and winter storm coverage, including paying for a tub grinder last year for all brush collected at the grit yard. Mr. Matheny will look for information to come in from FEMA and as long as parameters are met, there may be federal funds to reimburse. Mr. Kneski asked about extending brush clean up and hiring outside help if reimbursement will be available. Mr. Matheny said that is why the outside vendors were kept longer than anticipated, noting that the DPW had to work with them because the vendors do not cut up large trees. He mentioned that some of the outside workers

will be "going home" shortly and may not be available to assist. Mr. Matheny will talk to DPW and the vendor about the matter. Some comments were exchanged about progress, with Mr. Mathews noting that the trucks were on Mountain Road for four days. Mr. Matheny outlined other roads that were covered, e.g., Lindbergh, Ridge, etc., and he believed that the crews were "doing a decent job." Mr. Ginman, who paid an outside vendor, felt that the crew was doing consistent work timewise as his private contractors. Mayor Tatsch spoke about clean up on Welisewitz Road, stating that the crew were "hard workers."

Mr. Mathews spoke about issues with the announcement about the brush pick up on the website and not knowing until he read the Democrat that Rutgers was the chosen vendor. He was concerned that the governing body did not know at the November meeting. Ms. Lenox agreed. Mr. Matheny explained that he did not feel it was appropriate to announce the vendor at the November meeting since they were still waiting for a response from the vendor at that time. The Mayor was kept informed during negotiations. Mr. Mathews concluded that it was "awkward" not knowing.

10) Update on Insurance Renewal: Mr. Matheny reminded the governing body that they agreed to keep options open for the coverage and the agent expects to have all the information to the Township in time for the December 29 meeting. The insurance funds are providing the Township's representatives with rates and information, which they are expected to have in time for the next meeting.

11) Holiday on January 2, 2012: Motion by Ms. Lenox, seconded by Mr. Kneski, and it was carried unanimously to have January 2, 2012 listed as the New Year's Holiday for staff. Committee members had a brief discussion about the usual holidays for staff, which are listed in the annual benefits resolutions.

Ms. Lenox asked if there would be a holiday party this year. Mr. Matheny said that there may or may not be one held on December 19. Ms. Lenox asked about making it closer to the holiday, e.g., December 22. Mr. Matheny explained that they like to have the parties on days when most employees can attend. In the past, the office has been closed at noon for the celebration; no township funds are utilized for this event. Motion by Deputy Mayor Cregar, seconded by Ms. Lenox, and it was carried to close the building at noon for the holiday party, if it comes to pass.

12) New Microphones: Mr. Matheny is working with a vendor to purchase new "gooseneck" microphones and a new amplifier since there are difficulties with the existing equipment.

HYDRO-FRACKING - REQUEST FOR FURTHER INFORMATION (See October 2011 Minutes for Background) The following website should be accessed if the governing body wishes to have further information on the issue: <http://www.delawareriverkeeper.org>

UPDATE ON 12/6 AD HOC COMMITTEE MEETING ON AAR AND JCP&L Mayor Tatsch felt that it was a good meeting with JCP&L representatives (Mr. Anderson and an engineer), who covered key points in doing an in-depth study of power outages in East Amwell, providing information on reported outages, times reported, etc. There were numerous outages along Lindbergh and Mountain Roads, and the engineer felt that this was unacceptable. The committee was given an in-depth overview of power distribution, including information on equipment and circuits, and JCP&L pledged to improve the power situation in the Township. Mayor Tatsch said that the Township Committee must hold them to the pledge and to further meetings. He appreciated the spirit of cooperation, was hopeful for improvements in the future, storms or not, and he believed that it would help the residents in the future.

Mr. Mathews said that he learned a lot which would be useful in future public meetings. He commented on asking for a plan and quarterly meetings, and he felt that it was the Township's responsibility to stay on top of this. Mr. Kneski suggested keeping the public informed about the meetings with JCP&L. He was told that some information provided by JCP&L was proprietary, but a redacted version could be provided on the website.

Mr. Sageser commented on the need to call JCP&L when power was out, saying it would be helpful to see a map of outages. Mayor Tatsch explained that this is part of the proprietary information that cannot be released for security purposes (i.e., location of circuitry).

Mr. Mathews commented on continued discussion at the next committee meeting regarding an ordinance to compel residents to allow tree trimming, noting the impact "downstream" when residents do not allow trimming. Mr. Kneski commented on right of way easements utility companies may have; Mr. Mathews commented on discussions with JCP&L on this, with "gray" areas of permission to cut, etc. Mr. Cushing mentioned private easements between the utility and the property owner, which is beyond township jurisdiction, i.e., on a road right of way, the municipality would have control. He spoke about getting the right balance of reasonable trimming v. atrocious cutting, providing anecdotal information about a resolution regarding trimming in Holland Township. Mayor Tatsch told JCP&L representatives at the meeting that if they observe trees off the right of way that need trimming, let the Township know and that they would help get permission from the resident, i.e., by helping the resident understand "the bigger picture."

NEW BUSINESS

SCHOOL CONSOLIDATION - See of Emails from Mayor Tatsch 11/10/11

Mayor Tatsch briefly explained the initiative by Hunterdon County Shared Services to look at consolidation as a way to reduce costs. The concept to consolidate school districts at the county level is being championed by larger townships such as Readington and Raritan. It would impact smaller municipalities by assessing substantial costs because they would have to pay additional funding for the bigger townships with major increases in their population. It was not clear how much management costs would be reduced, and losing autonomy over a local school decision was another consideration. Mayor Tatsch suggested that the municipality should keep informed of discussions to see how this proceeds, but he did not feel it was appropriate for East Amwell to support the initiative. He suggested that the next Mayor should keep the Township Committee informed. Mr. Mathews agreed that a large draw to move to this community is the local school.

OPEN TO THE PUBLIC

The meeting was opened for comment. There being no comments, motion by Ms. Lenox, seconded by Mr. Kneski, and it was carried unanimously to close to the public.

NEW BUSINESS, Continued

RESOLUTION TO ENTER EXECUTIVE SESSION TO DISCUSS LAND ACQUISITION (Lang Property, B. 27/L 53 & 53.01), TO DISCUSS PENDING LITIGATION AND RECEIVE ATTORNEY ADVICE (delCampo CADB Application) AND TO DISCUSSION THE TOWNSHIP ADMINISTRATOR'S CONTRACT

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RESOLUTION #159-11

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, pending litigation, and the Township Administrator's Contract 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,

C. Larry Tatsch, Mayor

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Motion by Mr. Kneski, seconded by Deputy Mayor Cregar, and carried unanimously to approve the resolution.

Executive session began at 9:20 p.m.

The regular meeting resumed at 10:40 p.m. Mr. Cushing left the meeting at this time.

One member of the public returned to the meeting room.

LANG PROPERTY, BLOCK 27, LOTS 53 & 53.01

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RESOLUTION #160-11

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby authorize a second appraisal on the Lang Property, Block 27, Lots 53 and 53.01, up to \$2,500, as requested by the Farmland Open Space Preservation Committee.

By Order of the Township Committee,

C. Larry Tatsch, Mayor

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

DISTRIBUTION OF DRAFT 2012 REORGANIZATION MINUTES – FYI A final set should be ready for the December 29th meeting.

DISTRIBUTION OF DRAFT 2012 APPOINTMENT LIST

The clerk explained that members whose terms were expiring have responded whether they are interested in continuing to serve; if they were, their names were inserted on the list. There was a consensus that Denise Gonsiewski was a good candidate for the Local Public Assistance Board and would be added to the oaths for January reorganization. Moving the alternates up on the Board of Health to a regular seat and alternate I seat will leave a remaining alternate II seat. Recreation Committee has seven vacancies. The Clerk asked that she be given the names of Township Committee members going on various boards by December 29 in order to prepare Oaths. She asked if Mr. Sageser would be staying on the Environmental Commission; he stated that he did not want to be on all three boards (Environmental, Planning, and Township Committee). She asked Mr. Mathews about the Recycling Committee; he would prefer to rotate around, but would be happy to stay if there was no other opportunity. Mr. Mathews will let the Clerk know on which board he would like to serve. Mr. Sageser and Ms. Lenox would like to remain on the Planning Board, leaving one opening as a Mayor’s Designee.

ADMINISTRATIVE REPORTS

TREASURER MONZO provided a statement of cash and the bills list with an explanation about payment of Mannon Excavating on last month's bill list. Motion by Ms. Lenox and seconded by Mr. Kneski to approve the bills of the evening.

Mr. Mathews asked about mileage reimbursements listed for some employees, and Mr. Matheny explained that it would be for site training and back to here, not a commute from home. The Clerk also noted many trips to Staples for OPRA requests. Mr. Mathews asked about submitting at intervals rather than at the end of the year; Mr. Matheny explained that the policy manual allows employees to submit twice a year or yearly.

The motion to approve the bills was carried unanimously.

There were no other resolutions, and all other administrative reports were noted without comment.

CORRESPONDENCE

Deputy Mayor Cregar commented on the SWAC report and an article in the Hunterdon County Democrat regarding Will Harrison's attendance at a County meeting. She said that he was "the best volunteer that this Township has." The issue is the County's management of SWAC and participation of very dedicated volunteers from many municipalities. Deputy Mayor Cregar commented that Will Harrison is "amazing" and attends meetings every month.

The Clerk asked the governing body to support the Hunterdon County Board of Freeholders' resolution to continue PARIS Grant Funding, stating it was an important part of funding records retention initiatives.

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RESOLUTION #161-11

WHEREAS, the New Jersey State Legislature established a grant program in P.L. 2003. c. 117, Sections 38 and 39, funded by the New Jersey Public Records Preservation Account, a dedicated fund to support public records management, preservation and storage and to support the development and improvement of the public archives and records infrastructure of county and municipal governments; and

WHEREAS, a portion of these funds (maximum of 40 percent) were reserved annually for the local government records management grant program to be awarded annually to county and municipal governments.; and

WHEREAS, the purpose of the PARIS Grants Program was to serve as a catalyst in the establishment, enhancement and/or expansion of county and municipal public records management, preservation and storage programs; and

WHEREAS, this grant program was introduced as a result of a fee increase in 2003, which also included a statutory requirement, P. L. 2001, c. 370 (S-553) which increased all constitutional officers' salaries "not less than 65 percent of the annual salary of the Judge of Superior Court." (currently, 3107,250.00); and

WHEREAS, Hunterdon County had received grant awards totaling \$4.9 million dollars for grant years 2005 through 2009 (five (5) grant cycles); and

WHEREAS, these PARIS grant awards enabled the County to dramatically improve the management, preservation and storage of public records, as well as the records' infrastructure of Hunterdon; and

WHEREAS, Hunterdon County included in this effort a "shared services" model for municipal records storage for all 26 municipalities; and

WHEREAS, in State FY 2010 and FY 2011 no grant applications or awards were accepted or awarded; and

WHEREAS, Public Law 2003, c. 117, Sections 38 and 39 has not been repealed and is still good law.

WHEREAS, in the Report of the Transition Subcommittee on the Department of State, the subcommittee states "The Legislature has inappropriately raided and diverted the trust funds. Treasury and OMB have not accounted for or deposited the trust collections since May of 2009. The dedicated fund and program must be protected and expanded to complete projects underway from the staged initial grants.

NOW THEREFORE, BE IT RESOLVED, the Township of East Amwell, in the County of Hunterdon is respectfully requesting the PARIS Grant funding be restored to Hunterdon County and all the counties as legislated in P. L. 2003, c. 117, Sections 38 and 39.

BE IT FURTHER RESOLVED, that the Township Clerk is hereby directed to forward a copy of this Resolution to Governor Chris Christie, all members of the Hunterdon County's legislative delegation, all New Jersey Boards of Chosen Freeholders, all Hunterdon County municipalities and the New Jersey Association of Counties and the New Jersey League of Municipalities

By Order of the Township Committee,

C. Larry Tatsch, Mayor

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

ADJOURNMENT

There being no further business, motion by Ms. Lenox, seconded by Mr. Kneski, and it was carried unanimously to adjourn the meeting at 10:55 p.m.

Teresa R. Stahl, RMC/CMC
Municipal Clerk