

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.

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 March 8, 2011.

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

AGENDA REVIEW

Ray Krov, Business Administrator and Board Secretary of Hunterdon Central High School was present this evening to give an update on the 2011 budget and review his 3/09/11 email. This item will be added to the agenda under Special Discussion, Item B.

Add the following correspondence: 3/7/11 Letter of Resignation from Public Defender Jeff Weinstein; League of Municipality Advisories 3/8, S-2718 Health Care Benefits Reform; 3/8 League President Perspective on State Budget; 3/8 Calculation of the Reserve for Uncollected Taxes.

ANNOUNCEMENTS

- A. 2011 Dog Licenses are now overdue. \$12 for an altered dog; \$15 for a non-altered dog and \$25.00 late fee is now assessed. Contact 908-782-8536 x 10 for details.
- B. Day Light Savings Time begins on Sunday, March 13, 2011, at 2 a.m.; set your clocks forward one hour.
- C. Hunterdon County will hold a hazardous clean up day on Saturday, March 12, and an electronics clean up day on Saturday, March 26, both from 9 a.m. - 1 p.m. at the County Complex on Route 12. Call 908-788-1110 for further information.
- D. East Amwell Township Committee will hold a Special Meeting on Wednesday, March 16, 2011, to continue discussions on the 2011 Budget. The Public is invited to attend.
- E. East Amwell Environmental Commission will hold its annual Roadside Clean Up Day on Saturday, April 16. Contact Blaine Hummel at 609-466-2907 to register for a road.
- F. The East Amwell Township annual Clean-Up Day will be held on Saturday, April 30 From 8 a.m. - noon at the municipal lot. Permits are required. Contact the Clerk's Office or see the Township website for more information.
- G. The Annual School Election will be held on Wednesday, April 27, 2011, from 7 a.m. to 9 p.m. All polls are located at the municipal building.

APPROVAL OF MINUTES

February 10, 2011, Special Minutes (Interviews) were approved on a motion by Deputy Mayor Cregar, seconded by Mr. Kneski, and carried with one abstention, Ms. Lenox.

February 10, 2011, Regular Minutes were approved on a motion by Mr. Kneski, seconded by Ms. Lenox, and carried with the following corrections: page 7, line one, change "Martin" to "Mathews"; page 13, line five, remove "at his private account."

February 10, 2011, Executive Minutes (Attorney Advice, Public Safety) were approved on a motion by Deputy Mayor Cregar, seconded by Ms. Lenox, and carried unanimously.

February 24, 2011, Special Minutes (Interview) were approved on a motion by Mr. Kneski, seconded by Deputy Mayor Cregar, and carried with one abstention, Ms. Lenox.

February 24, 2011, Special Minutes (Bond Ordinance Public Hearing and Budget) were approved on a motion by Mr. Kneski, seconded by Deputy Mayor Cregar, and carried with one abstention, Ms. Lenox, with the following correction: on page 4, paragraph 8, the Clerk will listen to the tape and include Mr. Mathews' comment on "successful adjudication" of a matter.

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

Joan McGee, Lindbergh Road, spoke about solutions to budget issues, including saving money on Board of Adjustment and Planning Board salaries with a joint board. She provided a comparative analysis of the past five years with the prior five years: Board of Adjustment meetings include on average 5 less meetings per year and half of them are 30 minutes. The previous Board had a greater number of applications; the past five year boards average 3 applications per year while the previous one had over twice that amount and hearings at every meeting. The Planning Board now has one meeting per month averaging 1.5 hours or less and less than 2 applications a year. During the prior five years there were a minimum of 2 meetings per month averaging about 3.5 hours, lasting until 11 p.m. or midnight. Processing minutes and applications has been drastically reduced, the previous Administrator drafted or edited Master Plans, and the amount of time for the last five years was "incredibly low." Ms. McGee asked the Township Administrator if this was correct, and he looked to the Township Committee for response. Ms. McGee asked for "open and responsive government" and asked for an answer in writing.

Ms. McGee continued by speaking about the Board of Health in the last five to ten years having a full agenda with meetings lasting two hours or more and applications on every agenda, while appointing staff for six hours a day and two hour meetings. She concluded that the three positions should be reviewed, stating that employees were also given permission to do work for other townships on East Amwell time as a policy, and that if the Board of Health only has 6 office hours and 2 hours for meetings, the Planning Board and Board of Adjustment should have the same, i.e., 6 hours and 2 hours for each position due to budget constraints.

Ms. McGee spoke about Mr. Matheny's contract, stating that the governing body does not have to build upon the last contract. She felt that attendance at FBI conferences should not count for township work and pay. Paying dues and fees, which do not benefit the taxpayer, "makes no sense." She also suggested a reduction in hours or salary for this position, noting that some employees left, and less supervision is needed. Ms. McGee also suggested renting out space because there are many empty offices now after spending \$100,000 to redo offices. She asked the Township Committee to be responsive to her questions.

Ms. McGee also commented on Mrs. Nabonzy's mailbox and physics involved with snow damaging mailboxes. Mayor Tatsch provided information on the heavy weight of snow pushing mailboxes but not being hit by road equipment. Ms. McGee commented on providing honest explanations about matters.

Andrea Bonette, 17 Ridge Road, commented that at the last meeting, it was reported to her that Linda Lenox was taking a photo of her in the parking lot. Ms. Lenox commented on Mrs. Bonette taking photos of "Jessica's" license plate and charges to be filed; she sent the license photo to "Jessica."

Mrs. Bonette commented on New Jersey State regulations, NJSA 4:19-15.1, definitions of a shelter, i.e., "...shall mean any establishment where dogs or animals are received, housed or distributed." She mentioned that she would previously bring her dog to the municipal building when she was here until "it was discovered that Pam was allergic to dogs." She commented on sales at 10 Welisewitz Road, and read an email from a source, which was an email from Susan Peterson to Linda Lenox's personal account about an adoption of a sick puppy from Jessica Isenhour of Saving Fur Kids Rescue, which subsequently died. Mrs. Bonette provided the email to the Clerk for the record. Mrs. Bonette also mentioned questions raised about adoptions held at 10 Welisewitz Road on January 8 and 17, that the State and County are investigating, and the property not being zoned as a kennel. She asked that a response be given about this.

Frances Gavigan, 123 Wertsville Road, commented on "a new resident, Ben" being adopted by her at Tractor Supply, which included paperwork from vets in South Carolina. She felt that it was "wonderful and humane that in an era when people are homeless, horses are left at shows, ... that they can save a life, human or animal, ... and hats off to them." She commented on Jessica allowing people to meet the animals at feed stores, regulations that are subject to interpretation, and the fact that Tractor Supply is no longer able to have these events. She further commented on "horrible deaths" of dogs who are dropped off (no longer wanted) at humane societies.

Ms. Gavigan also commented that the Board of Adjustment and Planning Board have been doing a lot of work with a number of applications. She also recommended that the Township not consider renting space because of the secure nature of government business and the fact that the building is now secure. She further commented on the Administrator's contract looking at what can be afforded and this is an opportunity to look at hours, on the Planning Board and Board of Adjustment Officer helping with the Farmland Open Space Preservation Committee and others, and on everyone pitching in with the small community we live in. She concluded that she would be a witness for "Jessica" and would bring Ben in.

Motion by Ms. Lenox, seconded by Deputy Mayor Cregar, and it was carried with one no vote from Mr. Mathews to close to the public because he felt that the public should be allowed to speak. Ms. Lenox concluded with a negative comment.

INTRODUCTION OF ORDINANCES/PUBLIC HEARINGS

Public Hearings

ORDINANCE #11-05: AN AMENDMENT TO THE CODE OF EAST AMWELL TOWNSHIP, SPECIFICALLY CHAPTER 75, FEES, ARTICLE I, C., MISCELLANEOUS FEES FOR TRASH DAY PERMITS, AND CHAPTER 120, SOLID WASTE, SECTION 120-2, FEES, TO INCREASE THE FEE FOR SUV OR MID-SIZE VEHICLES AND TO FURTHER DEFINE THESE VEHICLES

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

Mayor Tatsch stated that the increase in fees is for larger vehicles for clean up day.

Motion by Mr. Kneski, seconded by Mr. Mathews, and it was carried unanimously to open to the public.

Frances Gavigan, 123 Wertsville Road, asked about a shared service opportunity by participating with West Amwell on their trash days. She commented on depot fees and volunteers being split with the municipalities, noting that West Amwell charges a \$75.00 fee and is open every weekend. She felt that a shared service, either with West Amwell or Delaware Township, would benefit East Amwell.

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

Ordinance 11-05 was adopted on a motion by Deputy Mayor Cregar, seconded by Mr. Kneski, and carried unanimously by roll call vote: Mr. Mathews, yes; Ms. Lenox, yes; Mr. Tatsch, yes; Mrs. Cregar, yes; Mr. Kneski, yes.

Introduction of Ordinances

ORDINANCE #11-06 AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMIT FOR CALENDAR YEAR 2011 AND TO ESTABLISH A CAP BANK (NJSA 40A:4-45.14)

The ordinance is adopted annually and allows the Township to bank up to 3.5% cap.

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**ORDINANCE #11-06
EAST AMWELL TOWNSHIP**

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS FOR CALENDAR YEAR 2011 AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of East Amwell in the County of Hunterdon finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the East Amwell Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$13,567.44 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the East Amwell Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of East Amwell, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Township of East Amwell shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$47,486.06 and that the CY 2011 municipal budget for the Township of East Amwell be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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, seconded by Ms. Lenox, and it was carried with one no vote, Mr. Mathews, to introduce Ordinance #11-06.

The ordinance will be published in the March 17, 2011, issue of the Hunterdon County Democrat, and the public hearing is set for April 14, 2011, at the regular Township Committee meeting at 7:30 p.m., where comments will be heard.

SPECIAL DISCUSSION

QUARTERLY PRESENTATION FROM COMCAST REPRESENTATIVES Molly Adams, Government Affairs Manager, was present.

Ms. Adams introduced herself and reminded the audience that she was here for the quarterly meeting to listen to concerns and answer questions.

Joan McGee, Lindbergh Road, said she was a Comcast customer for years but would switch to FiOS "in a minute." She commented about poor service calls, lack of response, the need to drive to Hillsborough to return equipment, the long lines on Saturday at Hillsborough, and the lack of getting equipment by mail, i.e., returning her remote control. Ms. Adams will find out about Ms. McGee's complaints, stating that they usually mail out remote controls. She mentioned the state requirement to have a local office, which is in Hillsborough. She was not sure why there was a lack of response, commenting on a switch over to digital a few years ago, which caused delays. She did comment that Saturdays are busier than weekdays.

Mr. Mathews asked about an exclusive relationship with Comcast without competition. He mentioned two residents who have FiOS and cannot get the television portion. Ms. Adams explained that the agreement with Comcast is a legal, non-exclusive franchise, and residents should call Verizon for information on why they are not providing television service to them, i.e., it is not because of the contract with Comcast.

Mayor Tatsch provided a brief explanation about Verizon's appearance at a meeting several years ago, stating their intent to roll out the three services. They explained at that time about FCC requirements to supply local stations near Philadelphia and New York, and they had to invest in infrastructure, which they were not prepared to do at that time. He also mentioned a 60% of participation requirement in the township, and only about one-half to one-third of East Amwell is under Verizon services, and they chose not to "roll out tv here." He noted that call centers all over answer inquiries about television service, and blaming the municipality or local franchise may be the norm. Mayor Tatsch further explained that Verizon is under a state-wide franchise, and they have the right to set up anywhere in New Jersey. He has been in contact with Verizon representative Anna Lustenberg about incorrect information being given out about the lack of FiOS in the area and updates on the infrastructure issue.

Ms. Adams also commented on the multi-year franchise with Comcast, who has invested in infrastructure in the municipality. She mentioned this as a possible reason why Verizon would not choose to invest. Mayor Tatsch noted that Verizon only handles a small part of the township and would not be available to residents in the 908 area code. Additionally, the municipality was required by the NJ Bureau of Public Utilities (BPU) to negotiate the franchise agreement with Comcast, which he considered "reasonably good"; if the Township did not reach an agreement, the BPU could have given the company a standard contract anyhow. Ms. Adams explained the three-year renewal process, i.e., a five year contract would have no benefit because the municipality would be into the next renewal process almost immediately. She also noted that there is a huge capital investment, and building the infrastructure is expensive; municipalities would have to have limited specific ways to turn down a request to renew, and the company could then appeal to the state. She felt that Comcast had a good product, including satellite systems, that it was an acceptable product, and that there is still competition in the field.

Mr. Mathews spoke about the mountain zone, which has trees 80 feet high and satellites could not be used in about one-third of the township. Ms. Adams again stated that competitors could come into the township; however, the large capital investment is one reason other providers are reluctant to come into an already serviced municipality. She commented on Verizon being

present in more densely populated areas, naming specific areas. Mr. Mathews stated that he would like to explore other options, including Verizon, before the next renewal.

The governing body thanked Ms. Adams for attending the meeting this evening.

PRESENTATION BY HUNTERDON CENTRAL REGIONAL HIGH SCHOOL ADMINISTRATOR RAY KROV

Mayor Tatsch thanked Mr. Krov for coming on short notice tonight to explain why the high school budget is increasing.

Mr. Krov explained that the percentage of the tax each municipality pays changes annually according to the state tax levy allocation formula. The High School has five sending districts, a state formula is applied, based on the equalized value and enrollment in October of the year, and the levy stays the same but the percentage changes. If a municipality has a larger portion of the levy, their rates go up. This was an unusual year and every municipality will see a differing increase depending on part on decreased assessments. The tax figure is arrived at using the state formula, assessed values, and how the municipality decides to raise the levy, e.g., Raritan raises one half one year and one half the next year. East Amwell usually pays the full levy in a given year. There were 180.5 students in the high school count last year (i.e., Polytech students are "one-half" a student), and 207 in this year's count on October 15, an increase of 14.7%. Last year's elementary count was 488 and this year is 465, or a decrease of 4.7%. These figures were also calculated into the state formula, which accounted for a large portion for the municipality to pay.

Mr. Krov explained that equalized values in the Township only dropped \$350,000, while the other 4 municipalities saw a decrease ranging from \$28.4 Million to \$51.1 Million; consequently the formula equates this to paying more of the share. Mr. Krov concluded that the formula worked for the Township last year (smaller percentage) but worked against us this year (larger percentage), i.e., a 7.8% this year while it was 6.8% last year. He mentioned that a larger high school/lower elementary school figure may be attributed to a larger class going through the elementary school system and now in the high school.

Mayor Tatsch asked about the elementary school figure, which he was told was 481; he asked if the 17 pre-school students were taken into account. Mr. Krov had the count of 465, and if students were paying tuition, they were included. Mr. Krov also explained the high school count done each October to make sure that the addresses of the students are attributed to the correct municipality, and he noted the increase over last year's levy of about \$519,000 or 6.5 cents.

Mr. Mathews asked about the bump in students. Mr. Krov thought that East Amwell should be proud about holding the ratables. He provided information about other municipalities whose numbers dropped and noted that their drop in assessments also had an effect on the levy. He referenced his spreadsheets, noting that some municipalities distribute the tax over two years. He again mentioned the change in population at the elementary and high school affected the levy.

There is a public hearing on the high school budget for governing bodies on March 23 and a presentation for the public on March 28 at 7 p.m. at the high school library.

Mr. Krov commented on the K-8 cooperative agreement with the high school for busing students, and there was no increase in cost to the local school for the third year. He commented on the busing services being successful at this time, also noting better student coordination between the two schools on records and curriculum.

The Township Committee thanked Mr. Krov for attending the meeting tonight.

SPECIAL COMMITTEE REPORTS - None

STANDING COMMITTEE REPORTS**BOARD OF ADJUSTMENT:**

1) Request for Waiver of Fees Associated with Application AJ-10-04 (see letter from Matt Wilkinson dated January 12, 2011) Present during this discussion were resident Matt Wilkinson and Board of Adjustment Chair Kendra Schroeder. Former Chair Nancy Cunningham was in the audience.

Ms. Schroeder explained Mr. Wilkinson's application before the Board of Adjustment (i.e., Zoning Officer said a variance was needed, the Board of Adjustment attorney felt that more interpretation of the ordinance was necessary, and the Board found in their interpretation that Mr. Wilkinson was not in violation of the ordinance). The Board of Adjustment attorney then wrote a resolution, which would benefit the Township going forth. Ms. Schroeder said that the Board recommended that Mr. Wilkinson not pay the outstanding \$1,054.00 in fees, which were also previously reduced by the Board of Adjustment attorney.

Mr. Cushing explained the correctly followed process, i.e., the Zoning Officer makes a decision (says a variance is needed), an interpretation from the Board of Adjustment is sought, and if the applicant needed a variance, an application would proceed.

Mr. Kneski asked about escrow funding for the Board of Adjustment appearances. Mr. Wilkinson provided information on paying a \$500 application and putting \$3,000 in escrow and on information from the Board that an original bulk variance application was changed to a land use variance with an adjustment in the application fee and a reduction in the escrow fee. He that he had paid at least over \$1,000.

Mr. Wilkinson felt that the process was a learning one. He publicly wanted to speak on behalf of Ms. Andrews, who is "a wonderful employee of the Township, who walked me through the frightening process." He further commented on his family's desire to live in East Amwell, the financial investment he was willing to make to allow his family to participate in 4H, the fact that he was not bitter about but only frightened by the process, and his willingness to assume the costs he has invested so far. On a question from Mr. Mathews about his situation, Mr. Wilkinson explained that before purchasing his property, he looked into raising chicken and sheep. Neighbors complained about his operation, and he sought what relief he could get from the Township. He is very happy that it has now been determined that he can raise animals.

Deputy Mayor Cregar commented on the amount of money Mr. Wilkinson paid to the Township, and she felt "that he should get every penny back." Ms. Lenox also commented on Mr. Wilkinson's plight.

Mr. Wilkinson spoke about \$3500 being a lot of money, but more to the point, receiving a letter from the Zoning Officer stating that a resident has 48 hours to cease a violation or pay \$500 a day fine and 90 days in jail was troublesome - he felt that no resident should ever receive a letter like that, and especially having to receive the letter on the weekend. He felt that Mr. McManus had to adhere to "the letter of the law, but did not understand the magnitude of powerful words." Mayor Tatsch explained that the Zoning Officer tried to modify letters in the past and they were ignored. He spoke about the 90% of people who would be upset and comply while "scofflaws" would not care. He will look at the letter and see if it can be made more clear for residents and that the period of time to act would be business days. Mr. Wilkinson agreed that mailing letters on Monday would be a better option.

Mr. Mathews suggested reviewing the Zoning Officer's qualifications, asking why he misinterpreted the ordinance. Mr. Cushing suggested dealing with personnel issues in executive session, while Mr. Wilkinson stated that Mr. McManus acted as a professional and was doing his job.

Mayor Tatsch explained that the state requires municipalities to have Zoning Officers, and when they receive complaints, they interpret the ordinance. In this case, the Board of Adjustment had to spend more time analyzing the ordinance. He suggested talking with the employee and being fair to get a complete understanding.

Mr. Kneski agreed with Deputy Mayor Cregar that some sort of adjustment should be made. The resolution prepared by the attorney will benefit the township going forth; he agreed with full reimbursement.

Mr. Cushing felt that Mr. Wilkinson presented his case sincerely; however one of the Board of Adjustment's roles is to hear Zoning Officer appeals. He suggested that an explanation of why this case would justify a refund be provided and set as policy, if the decision is made to do so.

Mayor Tatsch asked Ms. Schroeder and Ms. Cunningham if they recalled any other cases similar to this when the Board spends considerable money on legal fees and decides in favor of the applicants. Ms. Cunningham commented on doing interpretations with a different conclusion being reached by the Board but the applicant would still have to apply for a variance. This is the only instance where there was an interpretation of the ordinance and the applicant did not need a variance at all. Mayor Tatsch asked if there could be an interim point when zoning issues could be reviewed and reconsidered before the Board; Mr. Kneski equated it to a concept review, which is not permissible. Mr. Cushing said that legally, the Zoning Officer acts, and the Board of Adjustment is the appeals board.

Mr. Wilkinson commented on his desire to keep the animals for his family, his intent to make the financial commitment to do so, and taking "a leap of faith."

Mr. Mathews asked if the decision made for this matter would impact the next item on the agenda, i.e., the request for reduction in escrow fees. It was determined that the two were not related.

Mayor Tatsch provided three options: 1) do nothing and have Mr. Wilkinson pay outstanding fees; 2) adjust fees so that the applicant does not pay the outstanding \$1,054.00 for the Board of Adjustment attorney; 3) to refund Mr. Wilkinson all money he paid for this application.

Ms. Lenox agreed with Deputy Mayor Cregar's recommendation to return all fees with an added apology. Motion by Deputy Mayor Cregar, seconded by Ms. Lenox to return all fees. Mayor Tatsch acknowledged their concerns and agreed that he did not want to set precedence. He stated that the Board of Adjustment made him think that this was a rare occurrence, unlikely to happen in the near future, and there was incentive to more carefully review future applications. Mr. Kneski agreed that this was a very important case for the Township, and the decision sets the tone for what is permitted in the future, i.e., the Zoning Officer has a basis to evaluate what will be permitted or not, i.e., as a benefit to the Township.

Mr. Cushing summed this up that the actual benefit to have the clarification of the issue gave benefit to other taxpayers to justify the taxpayers paying the expenses as a public policy standpoint. Deputy Mayor Cregar agreed to amend her motion to return all fees with this explanation and Ms. Lenox concurred.

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RESOLUTION #41-11

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby authorize the Treasurer to return all fees paid by Matt Wilkinson, 171 Cider Mill Road, Ringoes, NJ 08551, for Board of Adjustment Application #AJ-10-04 based on the fact that clarification by the attorney on the farm animal issue raised by this application gave benefit to other taxpayers and justifies the taxpayers paying for the expenses associated with this application.

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.

Mr. Wilkinson commented positively on living in East Amwell, "wishing he moved here twenty years ago and plans to live here the rest of his life." He thanked the Township Committee for what they do.

2) Request for Reduction of Escrow Fees for Block 5, Lot 1.06 and Lot 2 (See 3/3/ Letter from Sun Edison Attorney Mark Peck Attorney Peck was present at this time.

Mr. Peck explained that his letter requested a reduction in escrow fees since the development is a non-residential one, and the required \$1,000 for a 146 acre track would be \$152,000 and a significant amount. He felt that the \$15,000 they have posted is a reasonable amount and would adequately cover the initial round of reviews. If more money needs to be posted, they will do so, but posting the full amount is a matter of liquidity.

Mr. Cushing felt that this was a Planning Board issue since they set the fees to be submitted for Township Committee consideration. This is the first solar application being processed by the municipality, and the Planning Board Chairman, Don Reilly, felt that fees should not be reduced until the Township has more experience with these applications. Mr. Cushing further explained that the \$1,000 per acre escrow is for site plans, which usually contain buildings, so he understood Mr. Peck's point. He asked Mr. Peck to speak to the matter. He also suggested that some fact finding from professionals on their projected costs may be prudent.

Mr. Peck stated that they had initially asked for a waiver from the Board of Adjustment, who sent them to the Township Committee for action. Mr. Cushing explained that the Township Committee cannot authorize a waiver, and Mr. Peck could go to the Planning Board to amend the ordinance to address the issue.

Mr. Kneski suggested rather than a waiver, some consideration be given to posting a bond, mentioning the Municipal Land Use Law regulations regarding bonding and inspection fees. If the amounts exceed the inspection costs, money can be paid incrementally to reimburse the Township. Mr. Cushing agreed that this was similar to posting a performance bond, saying that if no funding was posted, no work would be done. He was unclear about how much should be in the account, and professionals should be asked for estimates. There would be a cost to the applicant for posting the performance bond or letter of credit, and if a letter of credit were issued, it should contain language to automatically renew. Mr. Cushing felt that the Township may be amenable to posting 10% in cash and 90% in a letter of credit; he suggested that the Board of Adjustment Administrator get quotes from professionals up front. Mr. Peck felt that this was a reasonable solution.

Mr. Mathews asked about the capital outlay for the projected construction; he was told about \$500,000. Mr. Cushing suggested that Mr. Peck speak to his client about posting the letter of credit, and a resolution with reasons to justify the posting could be adopted by the Township Committee at their next meeting. Mr. Peck was asked to prepare the resolution.

Mayor Tatsch called for a motion to do as the Township Attorney suggests, i.e., approve the option of posting a letter of credit to cover a substantial percentage of the escrow required with the Township Committee's concurrence. Mr. Kneski approved the motion, and it was seconded by Deputy Mayor Cregar. Mr. Mathews asked if a formal motion was necessary; it was agreed that a formal motion rather than a consensus would be appropriate. Mr. Kneski also noted that the Township would still be requiring the escrow, i.e., the letter of credit and some cash posting was required and no waiver was being considered. The motion was carried unanimously.

HISTORIC PRESERVATION COMMITTEE Member Kat Cannelongo was present at this time.

1) Assignment of Classes to Committee Members: After a comment from the public on classes at the last meeting, it was noted that the ordinance does require class assignment, but none have been assigned since the mid-1990's. A list was prepared for consideration and reviewed by the Mayor. Motion by Mr. Kneski, seconded by Ms. Lenox, and it was carried unanimously to assign the following classes (A/knowledgeable in building design and construction or architecture; B/knowledgeable or has demonstrated an interest in local history;

C/Township residents holding no other municipal office except membership in the Planning Board or Board of Adjustment): Pauline Serafin/C; Barbara Sageser/A; Frances Gavigan/B; Jennifer Floyd/B; Mary Van Horn/C; Paul Sterchele/C; Kat Cannelongo/B; David Harding/B; Peg Sullivan/C.

2) Resolution of Appreciation for Harriette Hawkins: Ms. Hawkins recently resigned from the Historic Preservation Committee, after many years of service to East Amwell, including after she moved from the community.

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RESOLUTION # 42 -11

A Resolution of Appreciation

WHEREAS, the Township of East Amwell is fortunate in having an extremely active Historic Preservation Committee filled with enthusiastic members; and

WHEREAS, in 1994, former resident Harriette Hawkins began her service on this Committee, continuing her participation even after she moved out of the area; and

WHEREAS, Ms. Hawkins spent her years on the Historic Preservation Committee deeply involved with championing the work of this Committee, including but not limited to involvement with having various portions of East Amwell Township listed on Federal and State Historic Registers; forming the Amwell Valley Heritage Society; cataloging living history biographies from long time residents in the Township; working on the production of a Historic Preservation Calendar for several years; assisting with State of New Jersey approvals and processes for maintaining historic buildings and areas in the municipality; and performing her services as a volunteer on this Committee in many other ways;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of East Amwell Township does hereby express their deep appreciation to Harriette Hawkins for her many years of service to our community and extend their gratitude for all her many accomplishments.

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.

3) Resolution in Support of Hunterdon County Grant Application for Historic Preservation Costs: Ms. Cannelongo explained that the application is being prepared to utilize some of the Hunterdon County Open Space Funds. HC Farmland Open Space Coordinator Kevin Richardson has advised that there may be \$200,000 - \$300,000 available, and East Amwell is applying for \$100,000 for the Clawson House rehabilitation. She has spoken with Mayor Tatsch about the application, and the project will be done in phases, e.g., exterior siding, waterproofing, etc.

Motion by Ms. Lenox and seconded by Mr. Kneski to support the application. Mr. Kneski asked about using additional funding from the local open space fund, i.e., the application says it is a match; Mayor Tatsch said that ultimately, the intent is to match funds with continuing grants.

Mr. Mathews asked about the final objective of rehabilitating the house; Ms. Cannelongo explained that it would be a museum for East Amwell history and a community center meeting area. Mayor Tatsch spoke about the Quick (historic) Collection with no place for display and the plan about 8 years ago to establish the Clawson House as a possible museum. He mentioned constraints with the house, i.e., it must be rehabilitated to State Historic Preservation Office (SHPO) requirements, it cannot be demolished and rebuilt; it is slowly deteriorating, modest repairs have been made, several grants were applied for without success so far, etc. Mr.

Mathews asked about plans for the work; they were prepared already, and Mayor Tatsch provided more details about grant applications, state visitations, etc. A suggestion was made to change the title of the application to Clawson House, Phase II, and reduce the amount to \$100,000, thereby utilizing any additional funds from the East Amwell Open Space Trust Fund to do the first phase. Ms. Lenox and Mr. Kneski agreed to the edited version of the resolution, as stated above.

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RESOLUTION #43-11

WHEREAS, the Hunterdon County Board of Chosen Freeholders has approved an Open Space, Recreation, Farmland and Historic Preservation Trust Fund and established a Historic Preservation Grant Program to provide County funds in connection with the acquisition of historic properties and the preservation of historic properties, buildings, structures facilities, sites, areas or objects, in Hunterdon County; and

WHEREAS, the Township of East Amwell desires to further the public interest by obtaining funding in the amount of \$100,000 from the County of Hunterdon to fund the following historic preservation project:

Clawson House Rehabilitation- Phase 2
Repair of Slate Roof, Water-Proof Exterior Walls, Install Windows and Siding
at a cost of \$100,000.00 (*project cost*);

NOW, THEREFORE, the governing body/board resolves that Barbara Sageser, Chair of the Historic Preservation Committee or the successor to the office of Chair of the Historic Preservation Committee is hereby authorized to:

- (a) make application for such Historic Preservation Grant Funds,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the County of Hunterdon shall determine if the application is complete and in conformance with the scope and intent of the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan, adopted Freeholder Board Policies and the Procedures Manual for the Historic Preservation Grant Program adopted thereto, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the County funds in accordance with such adopted Policies and Procedures, and rules, regulations and applicable statutes;

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Township Committee of the Township of East Amwell:

1. That the Mayor of the above named body or board is hereby authorized to execute any documents and agreements with the County of Hunterdon known as Clawson House Rehabilitation;
2. That the applicant has its share of funds, if required, in the amount of \$100,000;
3. That, in the event the County of Hunterdon's funds are less than the total project cost specified above, the applicant may have the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

By Order of the Township Committee,

C. Larry Tatsch, Mayor

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

FARMLAND/OPEN SPACE PRESERVATION COMMITTEE Member Kat Cannelongo was present for these topics.

1) Lanwin/Thompson/Cider Mill (See Below): Mr. Cushing was excused from the meeting at this time. He commented on an agenda item below regarding authorization for the Mayor to sign the purchase agreement and land management agreement, which have not yet been received. Originally, there was a deadline of March 30th, but it is unclear whether this is still an issue. Mr. Cushing suggested that a resolution to authorize the Mayor's signature be approved tonight to facilitate the process.

Mr. Cushing left the meeting at 9:56 p.m.

2) Request for Authorization of Appraisal and Review of Hunterdon Land Trust Contract by East Amwell Township for Thompson (Old York Road) Property, Block 17/Lot 16 (See 3/2/11 memo from Judy Conard): A map of the property was distributed to the governing body. The request for authorization to have an appraisal done on the property at a cost not to exceed \$3,500. The project is under the leadership of Hunterdon Land Trust and the municipality has not yet been asked to contribute. There is preserved land to west and east of the property, and comments were exchanged about the property location. Mayor Tatsch explained that the process includes having an appraisal done to set the value and negotiate with the landowner. Mr. Mathews asked about authorization on speculation, i.e., does East Amwell know that it is a partner. Ms. Cannelongo said that the municipality will partner, but it was unknown to what extent. Mayor Tatsch read a portion of the 3/2 memo regarding maximum of price for easements and a request to have the East Amwell attorney review the contract between Mr. Thompson and Hunterdon Land Trust since East Amwell will be a partner.

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RESOLUTION #44-11

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby authorize one appraisal at a cost not to exceed \$3,500 on Thompson Property, Block 17, Lot 16.

By Order of the Township Committee,

C. Larry Tatsch, Mayor

+++++
Motion by Deputy Mayor Cregar, seconded by Mr. Kneski, and it was carried with one opposing vote, Mr. Mathews.

The Clerk asked about sending the contract to the attorney for review, as requested in the memo; the governing body suggested having the appraisal done first and have the attorney review after the appraisal has been received.

1) Continued: Lanwin/Thompson/Cider Mill Road, Block 21/Lot 1 and Block 20/Lot 17.01 Purchase Agreement and Land Management Agreements: Mr. Kneski recused himself from the discussions and left the meeting room. Mayor Tatsch reiterated Attorney Cushing's recommendation to authorize the Mayor to sign the agreements, which the attorneys are completing.

+++++
RESOLUTION # 45-11

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby authorize the Mayor's signature on agreements for purchase and land management on Block 21/Lot 1 and Block 20, Lot 17.01, subject to attorney approval of wording of the agreements.

By Order of the Township Committee,

C. Larry Tatsch, Mayor

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Motion by Ms. Lenox, seconded by Deputy Mayor Cregar, and it was carried with one abstention, Mr. Mathews.

Mr. Kneski returned to the dais.

RECYCLING COMMITTEE

1) Raritan Valley Disposal (RVD) and RecycleBank Availability (See 2/8 Memo from Will Harrison for Township Committee Comments: Mayor Tatsch mentioned discussions with Recycling Chair Harrison regarding putting information about the company and program on the Township website. The concern was that there was an appearance of preferring one hauler over another. Mayor Tatsch did not agree, stating that the Township would only be letting the public know that the program is available and there are laws to participate in recycling. There was a consensus of opinion that the information on the program should be placed on the website.

2) Appointment of New Member: Edwin Sailer was recently interviewed for a position on the Recycling Committee, and the Committee felt that he was an appropriate candidate. Mr. Mathews said that Mr. Sailer attended the last Recycling Committee meeting and demonstrated his interest in serving, including willing to help at the next depot.

Motion by Mr. Kneski, seconded by Mr. Mathews, and it was carried unanimously to appoint Edwin Sailer to a two-year term on the Recycling Committee.

Mr. Mathews mentioned a Hunterdon County Solid Waste Alternative Committee (SWAC) meeting to be held on April 1 at the County offices. There will be a letter arriving with details.

PLANNING BOARD:

1) Discussion on Appointment of Alternate II Member: Mayor Tatsch noted that five candidates were interviewed for the vacant position: Joseph Nyce, John Seramba, Edward Feinberg, Julian Treadwell, and Frances Gavigan. He asked the Committee for comments. Deputy Mayor Cregar felt that Dr. Feinberg stood out with his background in Mercer County in planning. Mr. Kneski agreed, noting that all were good candidates and he appreciated the opportunity to interview them all. He felt that Dr. Feinberg had a sense of knowledge based on his experience in planning and other boards, along with his history of professional employment. Ms. Lenox noted Dr. Feinberg's experience on the Environmental Commission also, and she also believed that Ms. Gavigan has "great ideas" and should be considered if there was another opening.

Mr. Mathews thought that they were all excellent candidates agreeing with the comments about Dr. Feinberg. He recommended that Joseph Nyce be considered, noting that while Dr. Nyce's politics may be different, it may be a balance to add an individual with a different perspective, which would equate to 12% of a balanced committee. He stated that 50% of the population want a different perspective, that the Township Committee should listen to the electorate, and while some of Dr. Nyce's writings and editorials may "not be digested," he brought a level of maturity, experience, and education. He felt that Dr. Nyce had an honest assessment, was impressed with his idea to ask the public to provide a vision (for the Master Plan), and wanted to have the governing body seriously consider him. Mayor Tatsch felt that Dr. Nyce's statements in the

Hunterdon County Democrat and on line were "clearly false" and felt that facts should have been checked before writing in a public domain. Mayor Tatsch felt that members of boards should "consider what they say or do and strive to find the truth"; he recommended that Dr. Feinberg be approved for the vacant seat. Mr. Mathews commented on "honesty and having the same level of scrutiny [by others] ... and not false statements."

Motion by Mr. Kneski, seconded by Deputy Mayor Cregar, and it was carried unanimously to approve the appointment of Edward Feinberg to the Alternate II position on the Planning Board.

DISCUSSION ON INTERVIEWING CANDIDATES CURRENTLY SERVING ON BOARDS WHO ARE APPLYING FOR OTHER BOARD POSITIONS AND/OR POSSIBLE APPOINTMENT OF ADDITIONAL CANDIDATES FOR THESE POSITIONS

Mayor Tatsch commented on two candidates interested in other boards, who are currently serving on other positions. Jim Davidson has been attending Historic Preservation Committee meetings and serving as Township Historian for five years. He would like to be considered as a voting member. The governing body agreed that he would not have to be interviewed. A motion was made by Mr. Kneski, seconded by Deputy Mayor Cregar, and carried unanimously to appoint Jim Davidson as Alternate I on the Historic Preservation Committee.

The second candidate was Gail Glashoff, currently serving on the Planning Board. She works in Lebanon Township and is interested in the Agricultural Advisory Committee. Mr. Mathews asked about appointing her to the Agricultural Advisory Committee and giving up the seat on the Planning Board to make a seat for another qualified candidate. Committee members noted that she would be serving as the liaison to the Planning Board. It was determined that an interview was not necessary. Motion by Deputy Mayor Cregar, seconded by Ms. Lenox, and it was carried unanimously to appoint Gail Glashoff to a position on the Agricultural Advisory Committee as liaison to the Planning Board.

A third candidate, Janelle Wilkinson, will be interviewed on March 16 for her interest in serving on the Recycling Committee.

UNFINISHED BUSINESS

TOWNSHIP ADMINISTRATOR'S UPDATE

1) Municipal Court Judge Appointment (See 2/10 Minutes for Background): Mr. Matheny commented that Judge Petronko will not be seeking reappointment. Additionally, the Governor wants to exercise his right to appoint judges of joint courts. Mr. Matheny spoke with Don Scholl in Delaware Township, and the current Prosecutor is interested in the position. Additionally, Public Defender Jeff Weinstein is resigning to work at the Hunterdon County Prosecutor's office, and the position will have to be filled.

2) Retrofitting Diesel Vehicles (2/7 Letter from State of New Jersey): Some of the vehicles in the fleet fall under the new guidelines, and the DPW Superintendent is working with Foley Equipment to do the work, which should be covered by the State at no cost.

3) Transfer of Files from Hopewell Valley Engineering to East Amwell: Hopewell Valley Engineering served the Township for fourteen years, and Mr. Matheny is working with Joseph Mahan from the firm on obtaining what materials should be provided to the Township.

4) Water at the Municipal Building: New water coolers and bottles are being provided by Crystal, with no cost for the coolers and \$2.09 for five gallons of water at a substantial savings from the previous company. A new sediment filter has been installed on the water supply with a finer filtration capability, and a new water tank bladder was also installed.

5) Handex Remediation: Mayor Tatsch explained that a no further action letter from the state is being sought. A bill for state oversight is on the list for payment tonight. Handex asked to be kept advised about state approvals.

6) Stony Brook Road: Resident Pete Taft asked that his email be read into the record: "My name is Pete Taft and I have lived on Stony Brook Road for 25 years. In that time, I have watched as East Amwell and Hopewell have taken steps that have turned a once-beautiful country road into a major cutthrough for those seeking to get to Hopewell. I am requesting that East Amwell reclaim the supervision of Stony Brook (it is now in the hands of Hopewell but was once in East Amwell's hands) and let the road deteriorate to its original, rural condition.

"Here are my observations:

1. Over the course of our 25 years here, there has never been an accident on Stony Brook Road.
2. About ten years or so ago, Wayne for some reason decided to widen the road by filling in the stone trenches at either side, thus eliminating what made this "Stony Brook Road."
3. The road became an airport runway. In front of my house, it is now 36 feet across - twice the minimum width.
4. Moreover, the road now features ugly asphalt edges that actually touch the tree trunks on either side. Come see how ugly this is.
5. At some point in the past ten years, East Amwell Township agreed with Hopewell Twp that they should maintain the road. Please note that we used to maintain it.
6. They have over time turned it into a runway-superhighway, paving at every opportunity, painting yellow stripes down the center, and putting massive guardrails at both bridges (this despite the fact that, again, there has never been an accident here in 25 years) completely and finally destroying the character of the road.
7. In addition, they mow and trim at every opportunity with massive machinery, mowing down young trees and cutting down dead trees that, again, affecting once again our rural character.

"As a result of all this, not only is SBR ugly, but it has become, over time, a favored route to Hopewell. Speeding is common.

"My request is simple: I am asking that SBR's maintenance be reclaimed by SBR. I will then be happy to work closely with both the township committee and the road crew to restore it to its once-pristine beauty. I believe this can be accomplished with a few simple techniques. Some of you may remember I spent over two years working with the residents of Lindbergh Road, as well as Dennis O'Neal, to maintain the pristine character of that road once it was threatened. I only ask the same privilege for my road. Thanks."

Mayor Tatsch noted that because of budget constraints, the Township cannot take on responsibility of another road. He suggested having a liaison work with Hopewell Township Road Department on what might be done in the future to improve the situation and "make it a nicer road." The road has been widened and is straight, which is conducive to speeding. Assigning Mr. Taft as a special liaison was suggested, and Mayor Tatsch agreed to call him about this. Mr. Matheny asked what the assignment would be, and it was then suggested that Mr. Kneski would call the engineer at Hopewell Township to see what can be structured. DPW Superintendent Kadezabek did call the Road Department in Hopewell, and no work is currently being planned on site. Some discussion took place about the widening of the road over the years.

7) Raritan Township February 2011 Police Report: There were 46 tickets issued in February.

8) Board of Health Secretary Position: This will be discussed in executive session later in the meeting.

9) Three Kids Enterprises Escrow Fee: Mr. Matheny explained the issue of Mr. Lucarini's position on paying engineering costs, the fact that Mr. O'Neal reduced bills, and Mr. Lucarini was advised of the appeal process at the County. No action was ever taken, and money was still in escrow. Mr. Matheny sent a letter to Mr. Lucarini indicating that the engineering bill would be paid in 14 days, and a letter was received cautioning the Township not to pay any funds from his escrow account. Upon attorney advice, the engineering bill will be paid (on tonight's bill list), and another notice about the appeal process will be sent out tomorrow to Mr. Lucarini for his consideration. Some comments were made about using professionals and the fact that Mr. Lucarini will have to contact Hopewell Valley at this time if he has any questions.

10) Payroll Service-Proposed Change in Service: Mr. Matheny spoke about changes in payroll from ADP to Prime Point, which is an on-line web-based service and will allow more access, including sending payroll from remote locations. He provided the name of Joe Monzo, who wrote the local finance notice in 2003 for changing payroll services, and his support for the program. Mrs. Luhrs contacted a reference from Princeton Township and received good recommendations. Prime Point will be less expensive than ADP; another company also had competitive prices, but they were unable to handle municipal accounts. A resolution to change the payroll service is necessary.

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RESOLUTION #46-11

RESOLUTION AUTHORIZING AN AGREEMENT WITH PRIMEPOINT, LLC FOR PAYROLL PROCESSINGS SERVICE

WHEREAS, N.J.S.A. 40A:11-3 provides that a contracting unit may without advertising for bids, contract for services when the aggregate does not exceed in a contract year the total sum of \$17,500; and

WHEREAS, the Township of East Amwell desires to contract with a payroll processing company to provide various payroll services; and

WHEREAS, the Chief Financial Officer has reviewed proposals from 3 payroll processing companies, and analyzed both cost and services provided; and

WHEREAS, the Qualified Purchasing Agent, in consultation with the Chief Financial Officer and Payroll Clerk, has recommended approval of the lower proposal amount, and the Township Committee has determined that it is to the Township’s advantage to award the payroll processing service to PrimePoint, LLC;

WHEREAS, the total cost of the payroll processing service is not to exceed \$3,000 and the Chief Financial Officer has certified that sufficient funds are available in the 2011 Temporary Budget and will be in the 2011 Adopted Budget;

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

The Chief Financial Officer is authorized to contract with PrimePoint, LLC for Payroll processing services for a period of 12 months, at an amount not to exceed \$3,000.

By Order of the Township Committee,

C. Larry Tatsch, Mayor

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Motion by Mr. Kneski and seconded by Deputy Mayor Cregar. Committee members commended staff for working on this, with Mr. Matheny commending Mrs. Luhrs for her tenacity in getting reduced fees. The motion was carried unanimously.

11) Professional Services Resolution: Auditor for Joint Municipal Court/Charles Case: Delaware Township provided the contract with Mr. Case for performing the court audit; they have already signed it as part of the joint court.

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RESOLUTION #47-11

WHEREAS, the Townships of East Amwell and Delaware, are contracting units pursuant to the Local Public contracts Law and/or other applicable Statues and Regulations; and

WHEREAS, Charles M. Case is a person authorized to practice accounting in the State of New Jersey; and

WHEREAS, the Join Municipal Court of the Townships of East Amwell and Delaware, are desirous of engaging the Services of Charles M. Case for the year 2011;

NOW, THEREFORE, in consideration of the amounts set for herein and their mutual covenants herein contained, and other good and valuable considerations, the parties hereto do covenant and agree as follows:

1. Charles M. Case shall be retained as Auditor for the Joint Municipal Court of the Townships of East Amwell and Delaware for the year 2011.

2. As Auditor for the Join Municipal Court of the Townships of East Amwell and Delaware, Charles M. Case shall provide advice, render general accounting and auditing services, attend meetings as necessary, and prepare the 2010 annual court report in accordance with the requirements of the State of New Jersey Division of Local Government Services.

3. The State of New Jersey business registration certificate is hereby attached and made a part of this contract.

4. The affirmative action certification report and certificate of employee information report are made part of the contract.

5. As compensation for services rendered, Charles M. Case shall be paid at rates not to exceed \$220.00 per hour based on rates ranging from \$110.00 to \$220.00, not to exceed a total of \$3,000, depending on the nature of the services rendered and personnel required, and upon submission of an itemized and properly executed voucher detailing the services rendered.

6. This agreement shall remain in full force and effect until December 31, 2011, subject to any changes to its terms as may become necessary from time to time. Either party may cancel the contract with the giving thirty days notice to the other party.

7. The compensation of Charles M. Case under the contract shall be borne by the municipalities constituting the court in the following percentages: East Amwell – 50%; Delaware 50%.

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.

12) H. T. Lyons and Direct Install Program at East Amwell Township School: Mr. Matheny was recently at the School to read to one of the classes and saw coolers in the hallway; he was advised that they were in place of water fountains because of arsenic remediation processes, and the school cannot test for six months. He provided them the information on Crystal Water Supply and was helpful in saving the School at least half of their current billing by switching to this vendor.

Mr. Matheny also helped the School with applying for Direct Install funding, which is federal block grant funding that comes to the municipality. The Township is entitled to more money but has completed the energy upgrades; H. T. Lyons advised him to sign the money over to the School for their upgrades. There is a possibility that they may receive up to \$100,000 of this funding, if the paperwork is processed in time.

Mr. Matheny mentioned that East Amwell Township is the "centerfold" in the H. T. Lyons 2011 calendar, and he distributed copies to the governing body. He also noted that all paperwork for the first energy grant application was completed and acknowledged.

13) Sidewalks in Ringoes: Mr. Matheny spoke with the County Engineer's Office about a "kick off" meeting, looking at the existing plans and "going from there."

14) Other: Mr. Mathews asked about fluorescent bulbs left in the trailer; the DPW or the Little League will dispose of them.

OPEN TO THE PUBLIC

Andrea Bonette, 17 Ridge Road, commented on resorting to personal attacks and name calling about the dog rescue matter. She commented on "Jessica" being evicted from Tractor Supply and Pet-Finder.com and on getting dogs from Craig's List and shelters for free while taking \$300 in cash, leaving the purchaser completely responsible for the dog's health. She commented on a claim that [Jessica] "was not God" and running a rescue being a joke. Mrs. Bonette reminded the governing body that this was a public forum to comment.

Frances Gavigan, 123 Wertsville Road, commented on staying informed. She did not pay Ms Isenhour (sp) \$300 for her pet. Ms. Gavigan commented on abuse on "both sides of the aisle," i.e., of the Township Committee and the public, and commented on "growing old without growing up" and on indulgences with money and time.

Ms. Gavigan spoke about maintaining Stony Brook Road to safe traveling standards. She also apologized to Ms. Lenox for the abuse she received, and she thanked her for her earlier comments about a Planning Board seat. She also mentioned Mr. Seramba's willingness to serve, and she hoped for a "more civil society."

Kendra Schroeder, Bowne Station Road, thanked the governing body for the earlier decision on the Wilkinson matter. She stated that the Board of Adjustment thought that this was not something that Mr. Wilkinson should "bear the brunt."

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

The governing body took a break at 11:00 p.m.

UNFINISHED BUSINESS, Continued

RESOLUTION TO ENTER EXECUTIVE SESSION TO DISCUSS PERSONNEL AND THE TOWNSHIP ADMINISTRATOR'S CONTRACT

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RESOLUTION #48-11

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 personnel and the Township Administrator's contract; 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 it was carried unanimously to approve the resolution.

Mr. Matheny was excused from the meeting until he was invited into executive session. Executive session began at 11:05 p.m. Deputy Mayor Cregar left the meeting at 11:40 p.m.

The regular meeting resumed at 11:55 p.m. Mr. Matheny was invited back into the meeting room and advised that no decision was made tonight, and deliberations would continue at the next regular meeting.

The Township Committee agreed to endorse Mr. Matheny's recommendation that Christine Rosikiewicz be appointed as the Board of Health Secretary.

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RESOLUTION #49-11

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby appoint Christine Rosikiewicz as a one year probationary employee as the Board of Health Secretary with a start date of March 14, 2011, working a six hour day one day a week, plus attending Board of Health meetings; and

BE IT FURTHER RESOLVED that the salary and wage resolution be amended as follows:

- Remove: C. Fristch, Board of Health Administrator \$19.80/hr.
- Add: C. Rosikiewicz Board of Health Secretary \$16.50/hr.

By Order of the Township Committee,

C. Larry Tatsch, Mayor

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Motion by Ms. Lenox, seconded by Mr. Mathews, and it was carried unanimously.

ADMINISTRATIVE REPORTS

TREASURER LUHRS provided a transfer resolution.

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RESOLUTION #50-11

WHEREAS, N.J.S.A. 40A:4-58 permits appropriation transfers during the first three months of the succeeding fiscal year between line items of the municipal budget, and

WHEREAS, it has been determined that certain line items are in excess of the sums needed and certain line items have insufficient funds to complete the operation of the fiscal year,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of East Amwell, County of Hunterdon, State of New Jersey, that the following sums be transferred as follows:

	From	To
General Administration:		
Other Expenses	\$500.00	
Municipal Clerk		
Other Expenses	160.00	
Engineering:		
Other Expenses	500.00	
Historic Sites:		
Other Expenses	200.00	

Streets & Road Maintenance		
Other Expenses	500.00	
Board of Health:		
Other Expenses	500.00	
Revenue Administration:		
Other Expenses		\$ 160.00
Zoning Board of Adjustment:		
Other Expenses		\$2,200.00
Total:	\$2,360.00	\$2,360.00

By Order of the Township Committee,

C. Larry Tatsch, Mayor

+++++
Motion by Ms. Lenox and seconded by Mr. Kneski to approve the motion. Mr. Mathews asked about the transfer, and he was advised that it may be to cover the Board of Adjustment attorney bills.

Bill of the evening were approved on a motion by Mr. Kneski, seconded by Ms. Lenox, and carried unanimously.

The 2010 Year End Revenue Report, the 2010 Statement of Receipts and Disbursements, and the January/February 2011 Revenue Reports were noted for filing.

Treasurer's Resolution:

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RESOLUTION #51-11

WHEREAS, certain Capital appropriation ordinances have funding that are no longer necessary;

WHEREAS, it is necessary to formally cancel said balances:

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

	Amount	Cancel to
Ordinance 08-08 & Ordinance 08-14 Spring Hill Road	\$6,556.51	Capital Surplus

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.

Other administrative reports were noted without comment.

CORRESPONDENCE

Mayor Tatsch asked if the Committee members had any comments on the information on the League’s advisory on the Market Competition and Consumer Choice Act, and did they want to support the League’s position on it. This item will be added to the next agenda for consideration.

Mayor Tatsch also noted that the Census Bureau has a serious error in the population for East Amwell Township, showing the 2010 count at 4,013, a reduction from the 4,455 in the previous count. He provided specific information, including the following: an estimated population in 2009 of 4,597; the fact that West Amwell has an over-population count and perhaps some areas on the border of the two municipalities may have been assessed incorrectly; there are 3,500 registered voters, 482 elementary school children, and 207 high school students, and this does not count those over 18 and not registered to vote. Mayor Tatsch is working with Leslie Potter at Congressman Holt’s office to correct the figures since grants and state aid are population based, and East Amwell may lose funding.

The budget meeting at the high school is set for March 23 at 7 p.m. In the past two Township Committee members attended. Mr. Mathews thought that he may be able to attend.

Mayor Tatsch commented on a Mayor’s meeting with the Freeholders where Freeholder Walton provided impressive information on shared services.

Mayor Tatsch requested a resolution in support of the national poison prevention week during the third week in March.

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RESOLUTION #52-11

WHEREAS, Congress designated the third full week in March to be National Poison Prevention Week in 1961 and since then this week has helped to raise national awareness of the dangers of potentially poisonous medicines, household chemicals, and other substances; and

WHEREAS, each year, more than 2 million potential poisonings are reported to the Nation’s Poison Centers; and

WHEREAS, unintentional poisoning is the 2nd leading cause of unintentional injury death nationally; and

WHEREAS, approximately half of all unintentional poisonings occurring each year happen to children under six (6) years of age; and

WHEREAS, approximately 90 percent of poisonings occur in people’s homes; and

WHEREAS, the New Jersey Poison Information and Education System (NJPIES), a division of the Department of Preventive Medicine and Community Health/NJ Medical School of the University of Medicine and Dentistry of New Jersey (UMDNJ) is celebrating its 28th year of service to New Jersey residents; and

WHEREAS, NJPIES provides free poison consultation, drug information, and poison prevention education to NJ residents through the 1-800-222-1222 Poison Help Hotline; and

WHEREAS, NJPIES’ services are free and confidential and are available 24 hours a day, 7 days a week, 365 days a year; and

WHEREAS, keeping the Poison Control Center phone number (800-222-1222) nearby or stored in home, office, and cell phones can help save lives in times of emergency; and

WHEREAS, consumers and healthcare professionals need and desire a source of information for their questions regarding the use of prescriptive and non-prescriptive medications; and

WHEREAS, child-resistant packaging has been successful in reducing unintentional poisoning. "Child-resistant" is not "childproof", therefore, it is important to keep potential poisons locked up and out of reach of children; and

WHEREAS, year-round educational programs conducted by poison center staff ensures NJPIES' commitment to reducing unintentional poisonings in New Jersey; and

WHEREAS, every poisoning is preventable; and

WHEREAS, all NJ residents must be educated about the dangers posed by potentially poisonous household products and other toxic substances because these products when not used as intended or directed, may be dangerous or fatal; and

WHEREAS, NJPIES is involved with the state's efforts at homeland defense, counter-terrorism, bio surveillance, and surveillance for clusters of poisonings; and

WHEREAS, the use of poison center services is estimated to save at least \$7 for every \$1 invested in these services; and

WHEREAS, NJPIES encourages the public to use the resources of the Poison Control Center for emergencies, drug information, poison information questions, and public education services by calling the Poison Help Hotline at 1-800-222-1222; and

WHEREAS, educating the public about the Poison Control Center's services can help save lives;

NOW, THEREFORE, I, C. Larry Tatsch, Mayor of the Township of East Amwell, do hereby proclaim the week of March 20-26, 2011 as National Poison Prevention Week in New Jersey and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families, and their community.

By order of the Township Committee,

C. Larry Tatsch, Mayor

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

ADJOURNMENT

There being no further business, a motion was made by Mr. Kneski, seconded by Mr. Mathews, and carried unanimously to adjourn the meeting at 12:10 a.m.

Teresa R. Stahl, RMC/CMC
Municipal Clerk

