

The regular meeting of the East Amwell Township Committee was called to order at 7:30 p.m. Present were Mayor Peter Kneski Deputy Mayor Patricia Cregar, and Committee members Linda Lenox, Tim Mathews, and Dart Sageser. 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 1, 2012, and a meeting notice published in the Hunterdon County Democrat issue of January 5, 2012. 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 February 7, 2012.

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

AGENDA REVIEW

Under Correspondence, add the 2/8 League of Municipalities Advisory on the 20th Annual Mayor's Legislative Day Recap and the 2/2 Letter from Senator Turner Re: Scibilia Property and SADC Review.

ANNOUNCEMENTS

Municipal Offices will be closed on Monday, February 20, 2012, in recognition of President's Day

Dog Licenses are now due. Cost is \$12/altered - spayed dogs and \$15/non-altered/non-spayed. After March 1, there is a \$25 per dog late fee assessed.

Comcast Representatives will be at the March 8, 2012, Meeting for the first quarterly 2012 presentation.

APPROVAL OF MINUTES

December 29, 2011, Special Minutes (Insurance): The minutes were approved at the last meeting, and a correction was being offered on page 2, paragraph 5, last line should read, "... the CFO's primary municipality had Statewide, had no problems, but left the fund for better pricing." Motion by Mr. Mathews, seconded by Mr. Kneski, and carried by unanimous vote.

January 12, 2012, Special Minutes (Interview) were approved on a motion by Mr. Sageser, seconded by Mr. Mathews, and carried unanimously.

January 12, 2012, Regular Minutes were approved on a motion by Mr. Sageser, seconded by Ms. Lenox, and carried unanimously to approve the minutes with the following corrections: on page 2, end of Open to the Public, last line, add words, "to close to the public." On page 9, under Discussion on Township Administrator's Position, line 3, sentence should read, "He met for 15-30 minutes with each staff member over the course of a week...." Same paragraph, line 6, add the words "position of" before "Administrator." Same paragraph, line 11, add "of affairs" after "improved state." Mr. Mathews commented on paragraph three, the same heading, that what he meant to say at the last meeting was that there are actually seven municipalities with Administrators, i.e., three comparable municipalities - Tewksbury, High Bridge, and East Amwell with similar populations; three with higher populations and not comparable - Readington, Raritan, and Clinton Township; one small, non-comparable municipality - Califon.

January 12, 2012 Executive Minutes (Attorney Advice) were approved on a motion by Ms. Lenox, seconded by Mr. Mathews, and carried unanimously.

February 1, 2012 Special Minutes (Budget) were approved on a motion by Deputy Mayor Cregar, seconded by Ms. Lenox, and carried unanimously.

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

Joan McGee, Lindbergh Road, asked if the public would be allowed to speak under the Township Administrator's contract item or could they be heard now. Mr. Mathews agreed that he would like to hear comments now.

Ms. McGee spoke about the following: She wanted to correct Mr. Sageser about enforcement of the tree harvesting ordinance, stating that there was an active committee with Wayne Marion and the Zoning Officer dealing with enforcement of the permits in the past with a previous version of the ordinance.

Ms. McGee asked who signed the Township Administrator's time cards; the Clerk noted that he does and all department heads sign their own. Mayor Kneski noted that they are reviewed periodically. Ms. McGee asked that the governing body not approve the contract for the following reasons: when hired, there were twice as many employees with some jobs merging and construction gone; he has no control over some employees, such as the Clerk and Assessor; he has never seen the Environmental Commission or Local Public Assistance administrators; personnel is reducing yet the Administrator's benefits are going up, reciting some of them; the FOSPC Administrator works independently; the Administrator is not supervising the Zoning Officer to force his involvement with the Tree Harvesting Ordinance; she has advised the Township at least 6 times about a zoning violation with a shed on Ridge Road that has never been enforced; the Administrator achieved his Quality Purchasing Agent certification with Township funding.

Ms. McGee also said that she asked 6 times about how much in fees the Township paid for the Scibilia preservation, which she believed that the EADA was responsible for, commenting that the Township wouldn't pay for Helen Rynearson's fees. She asked for a response.

Ms. McGee concluded that the Township Administrator also does not follow policies that are in the Township policy book, stating that she would like to know what he does and why he should be reappointed.

Alan George, 47 John Ringo Road, asked to provide an addendum to the Amwell Valley Little Baseball League budget previously provided to the governing body at their 2/7 budget meeting and thanked them for listening to their proposal.

Caroline Conboy, Administrator of the Statewide Insurance Fund, 30A Floram Park, NJ, asked to read a statement into the record regarding incorrect statements made by the Township's insurance agent that were damaging (see December 29, 2011, Minutes for background). A copy of the statement is attached to the original set of minutes.

Ms. Conboy noted that the surplus for Statewide is \$3,914,080. Mr. Mathews asked about Agent Tarricone's request for documents about assessments and comments about whether the quote was not a firm one. Ms. Conboy said that Statewide filed all regulatory documents required, their audit was on time and is on their website, and she did not know what Mr. Tarricone was alluding to. Ms. Conboy further explained that Statewide self-insures property, such as general liability for premises and automobile as a smaller risk, and reinsures for other items, e.g., public officials, criminal, pollution, etc., which is rated with the carrier itself. The rate provided to the Township was not a teaser rate and "doesn't make sense." She concluded that the purpose of joint insurance funds is to even out rates, that typical spikes in the market are not seen, and Statewide's quote was a solid one.

Andrea Bonette, 17 Ridge Road, spoke about the recent burglaries, providing anecdotal information about burglaries in Somerset County. She asked about getting information out to the public about the incidents. Mr. Matheny said that the Township doesn't get information directly unless he calls the State Police for updates. He did recently call and spoke with the new Station Commander and prepared a press release that also went on the website and was sent to the school. He reminded the public that the Township is not the clearinghouse for information. Mrs. Bonette asked that the Township seriously consider keeping the public informed.

Frances Gavigan, 123 Wertsville Road, spoke about problems impacting preservation with what banks and the economy are willing to give as subordination statements, which SADC is demanding. She spoke about the potential to lose Scibilia and Drift funding and suggested outreach to resolve. Mr. Cushing mentioned the Scibilia, Wells Fargo, and SADC conflict, stating that Township Officials turned to Senator Turner for assistance, and she went to the SADC to try to resolve issues with national banks. He commented on FOSPC "creativity" with Administrator Judy Conard's time and effort in trying to resolve the dispute. Ms. Gavigan asked about language differences between SADC and the bank; Mr. Cushing agreed that was the problem, and the Township has gone as far as to indemnify SADC and hold them harmless in case of default. Ms. Gavigan spoke about bundling issues, rigid "boundaries" of SADC, intent to speak with the Governor, having petitions, press coverage, potential to lose funding, etc.

Ms. Gavigan saw Warren Cooper at Kingwood State Police Barracks making record of public safety information; she suggested requesting that the police fax incident reports to the Township which Mr. Matheny could put on the website.

Diane Harrington, 110 Boss Road, identified herself. Ted Harrington was also present. Ms. Harrington spoke about getting a request for information from the Clerk. Mr. Cushing explained the matter of having the Judge deny a hearing since the summons had to come from the Township. The Tree Harvesting Committee will want an actual record of what occurred and will want to have all the facts. The Harringtons may be called as witnesses since they have personal facts to present. Mr. Harrington commented on talking with Mr. Mathews on the phone and the matter has been going on for seven months with the trees being removed and no action taken. Mr. Mathews said that their conversation was before the last meeting, and at that time, the attorney prepared a resolution to authorize action on the part of the tree harvesting committee. Mr. Harrington concluded that actions were not timely, and Ms. Harrington presented the Clerk with a written statement and some pictures.

John Seramba, 111 John Ringo Road, spoke about the Stahl application withdrawn from the Planning Board and copies of bills for Engineer O'Neal for payment for the meetings when he should have recused himself. Mr. Seramba believed that the engineer should have known about the conflict and the bills should not be paid. He suggested that the Township look into this and ask for a refund for the steep bills when the engineer should not have been present.

Barbara True Scianna, 63 Linvale Road, has had computer and phone service with Verizon for about 4 or 5 years and wants to have FiOS television. She stated that she had it for a short time and it was taken back, and now she cannot get it, and Verizon says that it is because of Comcast. Mayor Kneski said that it was not because of Comcast, that it "was a districting thing," that he has personally spoken with the Verizon President, and it is cost prohibitive to bring it into the Township even though Hopewell has it. He is still "trying to press them." Ms. Scianna spoke about having the infrastructure in place and the need to "flip a switch" to provide the service. The possibility of having Comcast and Verizon come to an up-coming meeting at the same time to discuss the matter was suggested.

Frances Gavigan, 123 Wertsville Road, mentioned franchise fees for municipalities, suggesting that they may have to pay for a contract. She also stated that she and the Serambas have information about tree removal and damage on John Ringo Road after a storm when a phone pole pulled down trees and cable lines, blocking a driveway and showing evidence of widening the driveway. She was subjected to verbal abuse while taking pictures. She mentioned a logging operation, easement blockage, soil berm issue, driving over and compromising a historic cemetery, calling the police, and impact from logging trucks on sight. She has pictures of evidence.

Joan McGee, Lindbergh Road, said that she was told that the purpose of this portion of the meeting was to listen, not answer, yet everyone who spoke, besides her, received responses. She mentioned questions about the Township Administrator, Scibilia, and other items, including why the Township did not pay for Helen Rynearson's fees, and she did not get an answer. Ms. McGee continued that over ten years ago, as Chair of the Environmental Commission, the Township hired a consultant to evaluate every property in the Township to prepare lists of land to be preserved, e.g., forested, farmland, grassland, etc. Chris Stahl's property was number 1 or 2 on all lists for preservation. She spoke about the Township and EADA not making the offer

that Mr. Stahl was looking for to preserve and felt that it was short-sighted on the part of the township.

Fred Gardner, 46 North Hill Road, was not familiar with the instance mentioned above ten years ago, but he recalled work starting 20 years ago to get the Stahl property preserved and never getting one positive response. He suggested looking at this matter very carefully.

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

INTRODUCTION OF ORDINANCES/PUBLIC HEARINGS

Re-Introduction of Ordinance

ORDINANCE 12-01 AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, SPECIFICALLY CHAPTER 24, OFFICERS AND EMPLOYEES, ARTICLE IV, TOWNSHIP ADMINISTRATOR AND ARTICLE VII, DESIGNATION OF THE POSITION OF PURCHASING AGENT

Mr. Cushing explained that the intent is to harmonize the ordinance prepared with the one introduced at the last meeting. Nothing was changed, but this was being done to "correct an administrative glitch."

Mr. Mathews asked if the ordinance addressed the issue of setting \$5,000 as a spending limit before which the Administrator would have to have governing body authority to purchase. The Clerk read Mr. Cushing's exact language from the January 12, 2012, minutes about purchases over the statutory quote threshold need approval; this language was never introduced, and the proposed ordinance below does not have the quote threshold review language either. It was eventually clarified that the bid threshold for a municipality without a QPA is \$17,500, after which time formal bids must be received. If a township has a QPA, the threshold for purchase without bids or approval is \$36,000. The quote threshold is the \$5,000 plus figure that was discussed at the last meeting.

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ORDINANCE # 12-01

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, SPECIFICALLY CHAPTER 24, OFFICERS AND EMPLOYEES, ARTICLE IV, TOWNSHIP ADMINISTRATOR AND ARTICLE VII, DESIGNATION OF THE POSITION OF PURCHASING AGENT

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

1. There is hereby created the position of Purchasing Agent for East Amwell Township.
2. The Purchasing Agent shall be appointed by the Township Committee of East Amwell Township.
3. The Purchasing Agent is required to possess a valid Qualified Purchasing Agent certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs.
4. The Purchasing Agent shall have, on behalf of the Township Committee of the Township of East Amwell and in conjunction with the Township Administrator, the authority, responsibility and accountability for the purchasing activity pursuant to Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); to prepare public advertising for and to receive bids and requests for proposals for the provision or performance of goods, services and construction contracts; to award contracts where the cost of the price of the contract in the aggregate does not exceed the threshold applicable in any year for public advertising for bids, in accordance with the

regulations, forms and procedures promulgated by state regulatory agencies; and conduct any activities as may be necessary or appropriate to the purchasing function of the Township of East Amwell.

5. Section 24-20.8 of Article 4 of the Code of the Township of East Amwell is amended in its entirety to read as follows:

Coordinate with the Purchasing Agent appointed pursuant to NJSA 40A:11-9 to oversee the development and enforcement of procedures for the requisitioning, purchase, inspection, receipt, inventory, distribution, and payment for supplies, materials and equipment.

6. Section 24-20.10 of Article 4 of the Code of the Township of East Amwell is amended in its entirety to read as follows:

In conjunction with the Township’s Purchasing Agent, prepare, or cause to be prepared, specifications and related bid documents or requests for proposals. Bid proposals are to be received by the Township Clerk and reviewed by the Township Administrator, the Purchasing Agent, and with such other persons as may be required. The Township Administrator or Purchasing Agent, as appropriate, shall make recommendations on these matters to the Township Committee.

7. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

8. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.

9. This ordinance shall take effect immediately upon final passage and publication as required by law.

By Order of the Township Committee,

Peter Kneski, Mayor

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

Introduced:

Adopted:

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Motion to introduce was made by Deputy Mayor Cregar, seconded by Mr. Sageser, and carried by roll call vote: Ms. Lenox, no; Mrs. Cregar, yes; Mr. Sageser, yes; Mr. Mathews, no; Mr. Kneski, yes.

The ordinance will be published in the February 16, 2012, issue of the Hunterdon County Democrat, and the second reading/public hearing will take place at the regular Township Committee meeting on March 8, 2012, at 7:30 p.m.

Public Hearings - None

SPECIAL DISCUSSION - None

SPECIAL COMMITTEE REPORTS - None

STANDING COMMITTEE REPORTS

ADDITIONAL APPOINTMENTS FOR 2012 BOARDS/COMMITTEES

While Deputy Mayor Cregar agreed to be Liaison for Recycling at the last meeting, a Township Committee member for the Committee must still be appointed. Mr. Mathews agreed to take another term. Motion by Ms. Lenox, seconded by Mr. Sageser, and carried unanimously to make this appointment.

Michael Petrus was recommended by the Environmental Commission to serve as Chairman for 2012. Motion by Mr. Sageser, seconded by Ms. Lenox, and carried unanimously to approve this appointment.

Sean Grace was interviewed earlier in the evening for the Alternate II seat on the Environmental Commission. The governing body felt that he was well qualified for the position. Motion by Deputy Mayor Cregar, seconded by Ms. Lenox, and carried unanimously to approve this appointment.

Pauline Serafin was also interviewed earlier in the evening for the Alternate II seat on the Board of Health. Ms. Serafin previously served on the Raritan Township Board of Health and is a certified NJ EMT. Motion by Ms. Lenox, seconded by Mr. Matheny, and carried unanimously to approve this appointment.

Mayor Kneski advised that a recommendation for Planning Board membership will be ready for the March Township Committee meeting.

UNFINISHED BUSINESS

TOWNSHIP ADMINISTRATOR'S REPORT

1) Animal Control Officer Coverage for 2012 (See 12/29 & 1/12 Minutes for Background): Mr. Matheny explained that work with West Amwell Township and City of Lambertville has been going on since December to get an agreement, and West Amwell has provided a rough draft for review. Delaware will also be participating in the shared service, with each municipality paying X dollars and mileage. Hunterdon Humane served East Amwell through the end of January, and when there was a call on February 2, the proposed ACO was asked to assist as a mutual aid with West Amwell. Once signed, the contract will go back to February 1. Tonight, the governing body is being asked to authorize the Mayor and Clerk sign a contract once a finished product is developed. Mr. Cushing will reach out to Delaware Township to see if they have commented on the draft; he believed that there should be clearer language on terms and conditions. Once the contract is in final draft, it will be provided to the governing body.

Mr. Matheny continued by saying that the West Amwell employee currently has separate contracts with Lambertville and Delaware, and a short term contract could be drawn up for East Amwell if the governing body was uncomfortable with approving the resolution tonight. Mr. Cushing confirmed that the agreement would be with West Amwell Township, not the employee, for the shared service. Mr. Sageser and Mr. Mathews spoke about "good faith agreements," and Mr. Cushing felt that it would be about two weeks until a clear agreement is laid out. Mr. Matheny also noted that stray animals will be brought to either Mobil Veterinary Hospital in West Amwell or Hunterdon Humane, and the municipality where the animal is picked up will pay the boarding fees. This information will be put on the Township's website and in the tax bill mailing to let people know whom to contact in the event of a lost animal. The new ACO will come in to meet the Committee, once the agreement is finalized. He will be contacted through the West Amwell Police Department to log in and track calls. Mayor Kneski agreed that information about the new ACO should be put on the website and have him invited to a public meeting so that the public can come and ask questions.

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AUTHORIZING THE ESTABLISHMENT OF A SHARED ANIMAL CONTROL OFFICER AMONG THE TOWNSHIPS OF EAST AMWELL, DELAWARE AND WEST AMWELL AND THE CITY OF LAMBERTVILLE, COUNTY OF HUNTERDON, STATE OF NEW JERSEY PURSUANT TO N.J.S.A. 40A:65-1 et seq.

WHEREAS, the Townships of East Amwell, Delaware and West Amwell and the City of Lambertville, all in the County of Hunterdon, State of New Jersey, are desirous of achieving cost savings and efficiencies by having West Amwell be the lead agency for the establishment of an office of Animal Control Officer; and

WHEREAS, Section 40A:65-1, et seq., allows for two (2) or more municipalities to enter into a Shared Services Agreement ("Agreement") for the establishment of the office of a Animal Control Officer ; and

WHEREAS, East Amwell is committed to participating in shared services agreements whenever the benefits of such an agreement provides cost effective and efficient service so that the cost of government is reduced to the greatest extent possible;

WHEREAS, the Mayor and Committee of East Amwell have concluded a shared Animal Control Officer will provide the municipality a significant yearly savings and that the services can be efficiently provided to its taxpayers.

WHEREAS, East Amwell, West Amwell, Delaware and Lambertville have agreed in principle to the form of Agreement, attached hereto as Schedule A, for the appointment of a shared Animal Control Officer, which Agreement is open to public inspection at the offices of all municipalities.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township of East Amwell hereby authorizes the sharing of an Animal Control Officer and they authorize the Mayor and Clerk to execute an Agreement in the general form attached hereto, upon approval by the municipal attorney as to form; and

BE IT FURTHER RESOLVED, that the Mayor, Clerk, Chief Financial Officer, and any other proper official of the Township, be and each of them is hereby authorized to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary and proper for carrying out the transactions contemplated by this resolution.

BE IT FURTHER RESOVED, the Shared Service Agreement for Animal Control Officer shall become effective February 1, 2012, providing Resolutions authorizing the Shared Animal Control Officer are passed by West Amwell, Delaware and Lambertville by March 15, 2012.

By Order of the Township Committee,

Peter Kneski, Mayor

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

2) Summer Playground: Mr. Matheny noted that most of the update was given at the recent budget meeting. Mr. Mathews continued by stating that roughly 97% of the responders to the survey indicated that they were willing to pay some type of fee for service. With these additional fees and the program shortened by one week to a four week program, the program should be funded appropriately to fix the ratio of counselor to student recommended by the insurance company. The program will have more structure, and hiring a qualified manager will be beneficial. Mr. Mathews concluded that funding the same amount as last year during this transitional year and allowing the committee to implement the cost to families and measure after the program will help to determine if it is sustainable to optimize.

Mr. Matheny spoke about doing background checks and logistics to put in place. He contacted Judy Holladay (Business Administrator at East Amwell School), and the School will be able to process fingerprints, which takes about a month. Cost for fingerprinting is \$82, and one idea is to reimburse the applicants the \$82 after the program, if they stay for the full program. Another consideration is whether to run the program immediately after the end of the school year or wait until the month of July to begin. He asked whether the Township Committee wanted to move ahead with logistics.

Further comments were exchanged by the governing body and Administrator, with the following highlights: if counselors are teachers, they will not have to be fingerprinted; if all five counselors need fingerprinting, the cost would be \$410 to be refunded at the end of the program; additionally, the lead counselor would have to be paid an additional fee for checking participants in and out and overseeing the program in general - the estimated cost would be \$250 for the four week program. Mr. Mathews said that the participant fees would have to be determined, noting that there were about 100 children participating last year. Cutting back one week of the program will cover the cost of the fifth counselor, but the added expense of a maximum of \$410 for finger-printing and \$250 extra for the lead counselor are additional expenses.

Mayor Kneski felt that this was an important program for children, and the additional funding was not great. He commented favorably on the report received at the budget meeting. Deputy Mayor Cregar and Mr. Sageser were supportive.

Motion by Mr. Mathews, seconded by Deputy Mayor Cregar, and it was carried unanimously to initiate the logistical planning for the summer playground in the newly constituted methods and tools to be implemented.

3) Appointment of Township Administrator as Supervisor for P.E.R.S.: The Clerk reminded the governing body that CFO/Treasurer Kathryn Monzo is the Certifying Officer for P.E.R.S. (the state pension program); however, a new position was implemented last year to have a supervisor appointed. Mr. Matheny spoke about taking an on-line course to serve. Motion by Deputy Mayor Cregar, seconded by Mr. Sageser, and it was carried unanimously to appoint Mr. Matheny to this position.

4) Recent Burglaries in East Amwell Township: Mr. Matheny stated that everyone was aware of the recent burglaries in the Township and elsewhere, including beyond the county limits. He had a visit from Anthony Kearns, Hunterdon County Prosecutor and his Chief of Detectives to be brought up to speed. Mr. Matheny referenced a newspaper article that there have been arrests for burglaries in Alexandria, Kingwood, East Amwell, and Readington with another person in custody elsewhere. The non-violent incidents were drug related, with random knocking on doors; he commented on it being "a matter of time" before they became confrontational. The burglars were looking for items for quick cash, e.g., guns, gold, jewelry, etc. using "cash for gold" markets to liquidate. Mr. Matheny concluded that the police "probably got the right group" since there have been no recent burglaries.

Mayor Kneski asked Mr. Matheny to put a summary on the website and to proactively reach out to the State Police on a weekly basis for updates, which should also be on the website. Mr. Matheny spoke with the new Commander at the Barracks, suggesting that he come to a meeting and prepare monthly reports as there used to be. He asked also be copied on any press releases. Mayor Kneski will intervene if Mr. Matheny runs into any problems with this.

5) Raritan Township Police January 2012 Report: There were 19 hours of patrol and 20 summonses written. Mr. Matheny reported on "pink slips" being given to DPW and Police Officers in Raritan, which may have an impact with the manpower issue going forth. A letter was sent to the Raritan Township Administrator stating East Amwell's commitment to continuing coverage under the same terms as last year's contract, which they seem to be doing.

6) Training Session for Volunteers: The volunteer memo provided to boards/committees each year has been updated. Mr. Matheny spoke about seeing some disparity in operations and will arrange a training class for chairs and secretaries. He invited a Township Committee member to be present. Mr. Matheny spoke about some secretaries taking on more administrative duties and whether the intent was for a secretary assigned to agenda preparation, minutes and letters to perform more duties, i.e., this would have a budgetary effect on the budget.

Mr. Sageser agreed that the meeting was a good idea to review procedures, budget, purchasing, and secretarial utilization. Mayor Kneski agreed with the approach.

POSSIBLE EXTENSION OF TOWNSHIP ADMINISTRATOR'S 2011 CONTRACT (See December 29, 2011 and January 12, 2012, Minutes for Background)

Mayor Kneski spoke about the structure of this discussion, noting last month's recap by Mr. Mathews on his discussions with staff. He asked for Mr. Mathew's opinion on his discussion with Mr. Matheny, an opinion from the attorney on use of consultants, a discussion on the decision of the Township Administrator position, and moving beyond that, an extension of the current contract since the previous extension was until March 1. Beyond this meeting, he would be looking for a subcommittee to work with the Administrator on a 2012 contract and come back to the governing body with options.

Mr. Mathews felt that history doesn't warrant the Township Administrator position, as it may have been when there were problems years ago. He spoke about consultants who come to do a job and leave. Based on his discussions with staff, they believed that Mr. Matheny did a good job, and Mr. Mathews enjoyed working with Mr. Matheny on the Animal Control Officer and summer playground issues. He spoke about the scope and scale of the position in these times, referencing the 2011 Hunterdon County Directory regarding staffing in other municipalities where a majority of them do not have administrators or have them in a combined role. He mentioned a recent news article where the Washington Township Administrator went to work in Clinton Township as the Administrator and DPW Supervisor in a full time position for \$105,000. His comments were not personal or about performance. He stated that during his conversation with Mr. Matheny, they talked about a lot, including serving as a consultant and picking up projects as a professional service. Mr. Mathews was firm in his opinion that staff is professional, procedures are in place, and the Township can continue without an Administrator. He further stated that the Township Committee would have to step up to fill gaps, but it would not be overwhelming. While the current budget does support the salary, Mr. Mathews felt that this was the first place to look for funding to give back to residents, and this was his perspective. He repeated that this was not a performance issue and there were no deficiencies, and Mr. Matheny was doing a good job. He commented on the position in Clinton where dozens applied, suggesting that Mr. Matheny may have also applied. Mr. Mathews also suggested possibly redefining the position and "going out to market" for other applicants and getting other capable managers, believing that there were 6 or 7 people in the township who might apply. He concluded that he was not convinced that the Township needed to continue the level of expense and trajectory.

Mayor Kneski asked Mr. Mathews about his discussions with Attorney Cushing's regarding hiring an outside consultant or whether there were statutory requirements to have an employee and the effect on day to day activities and oversight by the governing body. Mr. Mathews spoke about his familiarity with co-management of employees, stating that a revised job description could be prepared, the position of Township Administrator as it is now would not exist, and the paradigms could be changed to a lower level of day-to-day oversight with project work. Mr. Mathews mentioned his discussions with the Township Attorney about formality of meetings about the contract and the expiration of it, receiving legal guidance on continuing the position under contract through the end of February. He was also concerned with some verbiage issues.

Mayor Kneski opined that he knows what an administrator does, including projects to effect cost savings. The position in East Amwell is not a new position, i.e., previously there was an Office Administrator on staff. Mayor Kneski understood the need for an administrator in terms of neutral oversight of staff, which is not the purview of the governing body since they establish policy and should not be bogged down with the day-to-day management of operations. He supported the administrator's position, commenting on the Township's potential loss of continuity and the savings by having an administrator by not having to call upon an attorney or engineer to do some of his work. He concluded that it was an obvious cost savings by having the Township Administrator. He thanked Mr. Mathews for his opinion.

Deputy Mayor Cregar felt that by not having the position, the Township would be going backwards, and that the Administrator has saved the Township money. She stated that she could never be convinced that Mr. Matheny should not be the Township Administrator.

Mr. Sageser spoke about his six week term in office and attending a League of Municipalities program and the Trenton program yesterday. He noted very complex state rules and requirements, and he did not believe that the Township would get the same kind of representation with a consultant. He did not see this as a project oriented form of government, and there is a need for continuity with more involved "than meets the eye." He spoke about the impact of having Township Committee members taking over responsibilities, and he did not feel that it was appropriate. He spoke about Mr. Matheny's police background and his ability to work with police departments and manage affairs with them. He commented on working with Mr. Matheny for the past four or five years, with a "major benefit" being his professionalism and continuity. While he believed staff to be capable and able to their jobs without intervention, he believed that the function of the Township Administrator was important and beneficial, and a consultant would not be suitable.

Deputy Mayor Cregar commented that the other four Township Committee members are working, and she is retired and would not be doing all the work.

Ms. Lenox felt that the position would not go away, but she would like to see the Administrator have more hours, perhaps five more hours in the office, mentioning more face time at the municipal building for staff and residents.

Mayor Kneski suggested that the Township Committee consider features that they would like to see in a contract. The question at this point is whether they want to continue with the position as it stands or have an independent fill it. If the position passes by favorable vote, the second phase will be to put a contract together for 2012. Mr. Mathews asked whether it was looking at the same position or looking at some level of administrative oversight and what it looks like; he also asked how other municipalities function without administrators. Mayor Kneski explained that the majority of municipalities without administrators are boroughs, have smaller populations than East Amwell, may not have the level of activity, and have different demographics. He concluded that, based on his 33 years in municipal service, East Amwell has "the best of all worlds" in his opinion.

Ms. Lenox asked how the vote would be handled; Mayor Kneski said that it would be for the position as is. Mr. Sageser was in agreement, stating that negotiations could then take place on the 2012 contract. Mayor Kneski explained that part two of the process would be negotiating the Administrator's contract, including negotiating added hours.

Mr. Mathews asked if it was common for the Township Administrator to provide the contract or more appropriate for the governing body to provide it to the employee. Mayor Kneski explained that the Administrator provides a contract that he/she envisions, presents it to the governing body, and a subcommittee works with him/her on details. Mayor Kneski suggested that until a new contract is settled, the Administrator continue with the existing contract beyond March 1. Mr. Mathews suggested redefining the contract by March 1, suggesting that Mr. Matheny would not negotiate a 50% reduction in pay and working 40 hours per week on his own.

Deputy Mayor Cregar made a motion to continue with the Township Administrator position with a contract to be developed. Mr. Sageser seconded, but added that the motion should be to affirm the position of the Township Administrator with the intention to go forward to develop an acceptable contract, similar to where the Township is now, that there is not a conceptual change to the position, and no other candidates will be considered, adding that he has confidence in much of what Mr. Matheny does. Deputy Mayor Cregar withdrew her motion, and Mr. Sageser's motion was offered in its place, which she seconded. There was a roll call vote on the motion: Ms. Lenox, no; Mrs. Cregar, yes; Mr. Sageser, yes; Mr. Mathews, no; Mr. Kneski, yes.

Further comments were made about a contract for the position. It was noted that the job description for the position is spelled out in the ordinance creating the position. Mr. Matheny asked about changes in the description and contract. Mr. Sageser suggested that the position

stays fundamentally the same as the job description and discussions on the contract will take place.

Mayor Kneski called for action on extending the 2011 contract beyond March 1, noting that the Township would not be meeting until March 8. Motion by Deputy Mayor Cregar, seconded by Mr. Sageser, and carried by roll call vote to extend the 2011 Township Administrator's Contract until May 1: Ms. Lenox, no; Mrs. Cregar, yes; Mr. Sageser, yes; Mr. Mathews, no; Mr. Kneski, yes.

OPEN TO THE PUBLIC

Motion by Mr. Sageser, seconded by Deputy Mayor Cregar, and carried unanimously to open to the public for comment.

Fred Gardner, 46 North Hill Road, served on the Township Committee for six years without an Administrator and was familiar with some of the problems in doing so. He explained that he was retired at that time and did a lot of work, including supervision of the road crew. As background information, he mentioned his experience in running a small publicly owned manufacturing company, and he stated that it did not prepare him for over seeing the day-to-day responsibilities of the Road Department, including efficient and properly done in-house work v. outside contractual work for road projects. He mentioned struggling with the decision to appoint a Township Administrator and felt that he was doing a good job. Mr. Gardner mentioned a large amount of land preservation, struggles with the Scibilia matter, and business decisions with the preservation of 2,000 acres of preserved land, noting that it may have helped to have had a Township Administrator during the whole process. He congratulated the Township Committee on the decision to continue with the position and urged them to increase the responsibilities of that position.

Charles Bacon, 20 Harvest Hill Drive, mentioned in his entire career in the private sector with anyone he ever worked for, he never wrote his own job description or contract. He commented that it was up to the Township Committee, as representatives of the citizens of the township, to write the job description and contract since the Administrator is an employee of the Township.

Frances Gavigan, 123 Wertsville Road, asked Mr. Cushing about the Township's liability if there was litigation or court action regarding slander or liable with respect to Statewide Insurance's statement. She felt that it was the Township Administrator's responsibility to look into the statements made and what the Township's insurance agent presented to the governing body. Mr. Cushing felt that the matter should be discussed in executive session.

Ms. Gavigan asked about the NJ DEP letter on the agenda regarding NVT/Perehinys property. The clerk stated that it pertained to a request for a Letter of Interpretation and contained specific information about mapping deficiencies, based on a recent DEP site visit.

Ms. Gavigan asked about the contracts and job description for the Township Administrator and public access to them. Mr. Cushing spoke about the public discussion on the general policy decision to have a Township Administrator and form of responsibilities, not performance issues. Negotiations of a contract are not public information. Ms. Gavigan asked whether a subcommittee was set up to negotiate the contract; Mayor Kneski said not yet, and two representatives from the Township Committee will be asked to serve. Mr. Mathews volunteered at this time.

Nancy Cunningham, 14 Wertsville Road, asked to be clear on the job description, making sure that the Township Committee decides responsibilities and that the Township Administrator develops a contract based on the job description. She applauded the decision made this evening, commenting on listening to his monthly reports to the governing body on the long list of issues he works on and the wide range of areas he deals with, including his expertise in negotiations in contracts with the police and school, in working on grants, in helping employees, and how to run operations effectively with the Township Committee picking up some items. Ms. Cunningham concluded that to illustrate the efficiency of operations in the Township, the Hunterdon County produced Shared Services survey showed that in the 26 municipalities in the County, East

Amwell comes up best or in second place in the budget per capita and per household and in assessed value per home and at the top of the list for operations and spending money.

Glorianne Robbi stated that the discussion on the trail easement under Farmland Open Space Preservation is a public item, and she encouraged the audience to listen to this portion of the meeting.

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

STANDING COMMITTEE REPORTS, Continued

FARMLAND/OPEN SPACE PRESERVATION COMMITTEE Present for this discussion were Chairwoman Glorianne Robbi, Vice Chairman Dick Ginman, and Administrator Judy Conard.

1) Stewardship Grant to Develop and Maintain Recreational Trails and Trail Facilities on Omick Preserve: Mr. Ginman and Mrs. Conard are working on the grant application, and Green Acres will be cooperating with the Township with in-kind service and costs. The grants will allow for improvements on an existing trail. The deadline for application is February 15, and the grant is for \$21,640 with a 20% match, including \$1,500 in cash and \$2,840 in-kind services. The costs are based on estimates obtained from vendors. The work will include a parking lot area, a boardwalk, and a constructed trail. A kiosk will be built as an in-kind service with D & R Greenways supervising the construction. The \$1,500 cash may come out of the Open Space Trust Fund. Mayor Kneski ascertained from Mr. Cushing that the fund could be used for this type of project.

Mr. Ginman already spoke with Mr. Matheny, who advised him about how to obtain the necessary quotes. Additionally, he noted that the Environmental Commission has already given their support. Ms. Lenox asked about the boardwalk construction and was advised that it will be wooden coverage to traverse wet areas. Mrs. Robbi explained that the Lang property area is the headwaters for both the Neshanic and Stonybrook.

Mr. Mathews was concerned with the parallel parking near the road which would change the appearance of the road significantly. There will be stone put in place and the site will be graded with no more than 4 parking spaces. FOSPC members explained that D & R Greenways did not want parking in a secluded area to avoid misuse; parking is on the property itself and not on the road. Mr. Ginman felt that D & R Greenways would be sensitive in creating the lot and will build best to suit the site.

Mr. Mathews asked about the \$200 assessed to the DPW Superintendent for parking lot inspections; he was advised that this is only a figure for an in-kind service calculation. Additionally, Mr. Matheny will administrator the grant at an in-kind rate of \$600. The work will be done next spring if the grant is obtained.

Mrs. Conard reminded the Committee that there is limited access to the Omick property from Route 31. Mrs. Robbi spoke about parking on Route 31 to walk to the site, but it is not safe.

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RESOLUTION # 30-12

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby support the efforts of the East Amwell Farmland Open Space Committee, with assistance from D & R Greenways, in making an application for a recreational trails grant to provide funding for the construction of up to four parallel parking spaces on Rocktown Road and a 1.25 mile loop trail with boardwalk and a kiosk on Omick Woods; and

BE IT FURTHER RESOLVED that East Amwell Township agrees to fund up to \$1,500 along with in-kind services to contribute to the 20% matching grant; and

BE IT FINALLY RESOLVED that the Mayor of East Amwell Township is hereby authorized to sign the grant application.

By Order of the Township Committee,

Peter Kneski, Mayor

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

The governing body took a five minute recess.

RESOLUTION TO ENTER EXECUTIVE SESSION:

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RESOLUTION #31-12

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

Executive session began at 10:55 p.m.

The regular meeting resumed at 11:30 p.m., and Mr. Cushing left the meeting at this time.

NEW BUSINESS

MOVING SCHOOL ELECTIONS TO THE NOVEMBER GENERAL ELECTION Committee members acknowledged the recent correspondence, including resolutions from East Amwell Township School and Hunterdon Central Regional High School in favor of moving the school elections to the November general election day. Mr. Mathews commented that if the schools keep below a 2% cap, there will be no vote necessary; he commented on being “a little disenfranchised” with a potential 2% trajectory forever. Mayor Kneski commented on funding increases from Trenton for schools that will assist them in keeping costs below the 2%.

UPDATES FROM MAYOR KNESKI ON 1/21/12 HUNTERDON CENTRAL REGIONAL HIGH SCHOOL MEETING AND THE 2/8/12 20th ANNUAL MAYORS’ LEGISLATIVE DAY These items will be held until the next meeting in March. Mayor Kneski also noted that Committee member Sageser attended the legislative day.

ADMINISTRATIVE REPORTS

TREASURER MONZO provided a statement of cash on hand and the bills of the evening. Motion by Deputy Mayor Cregar and seconded by Ms. Lenox to approve the bills. Mr. Mathews asked about the accuracy of subtotals in some of the categories, guessing it was an Excel program error; Mr. Matheny explained that the Treasurer uses First Byte. The motion was carried unanimously subject to verification of corrected line items. Mr. Mathews also commented on the high cost for soccer field lights and whether they were on year round. The Treasurer will be asked about these bills. A motion to approve the bills, subject to clarification by the Treasurer was approved unanimously.

Treasurer's Resolution: The Clerk explained that there was a corrective resolution for cancellations, retroactive to December 2011, when the cancelation amount was slightly off from what was approved. Motion by Deputy Mayor Cregar, seconded by Mr. Sageser, and carried unanimously to file the correct resolution with the December 2011 minutes showing a cancellation of \$31,932.86, not \$32,010.86 with \$78.00 less being cancelled at that time.

All other administrative reports were noted without comment.

CORRESPONDENCE

Mr. Mathews noted the January 24, 2012, email from resident Andrea Bonette regarding implementing a phone warning system for residents. He stated that this was one of the actions out of the AAR meetings, i.e., exploring a reverse 911 system. He reminded Mr. Kneski as Mayor that he was responsible for setting up quarterly meetings of this committee to continue discussions with JCP&L about their commitment for better communication. Mayor Kneski spoke about tree trimming and pole installations in Princeton, and he will contact John Anderson to set up a future meeting. Mr. Sageser spoke about tree trimming on Welisewitz Road, and Mr. Mathews spoke about trimming on Linvale, Mountain, and Rocktown Roads.

ADJOURNMENT

There being no further business, motion by Ms. Lenox, seconded by Mr. Sageser, and it was carried unanimously to adjourn the meeting at 11:45 p.m.

Teresa R. Stahl, RMC/CMC
Municipal Clerk