

The regular meeting of the East Amwell Township Committee was called to order at 9 a.m. Present were Mayor Dart Sageser, Deputy Mayor David Wang-Iverson, and Committee members Tim Mathews, Charles Van Horn, and Peter Miller. 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, 2014, and a meeting notice published in the Hunterdon County Democrat issue of January 9, 2014. According to that notice, in the event a regular meeting is canceled (i.e., the February 13, 2014 meeting due to weather conditions), the Township Committee will meet at 9 a.m. prevailing time on the Saturday following at the same place to consider the agenda as prepared for the canceled meeting. 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 11, 2014.

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

AGENDA REVIEW

Under the Township Administrator's Update, add #4, a request for direction on Amwell Valley Little Baseball League annual contracts. There will be an executive session during the regular meeting.

ANNOUNCEMENTS

East Amwell Township now has a Facebook Page. Follow us at Township of East Amwell, New Jersey.

Municipal Offices will be closed on February 17, 2014, in observance of Presidents' Day.

2014 Dog Licenses are due by February 28, 2014, without penalty. After that date, a \$25.00 late fee per dog will be assessed to the licensing costs. Contact pdymek@eastamwelltownship.com for further information.

Hunterdon County will hold a Household Hazardous Waste Cleanup Day on **Saturday, March 8**, from 9 a.m. – 1 p.m. at the County Complex on Route 12. They will also hold a Computer and Electronics Collection Day on **Saturday, April 12**, from 9 a.m. – 1 p.m. at the same location. Email swrs@co.hunterdon.nj.us or call 908-788-1110 for details.

APPROVAL OF MINUTES

January 16, 2014, Special Minutes (Interview) were approved on a motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried unanimously, correcting the date in the header.

January 16, 2014, Special Minutes (Resolution for Executive Session) were approved on a motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried unanimously with one correction, changing Mayor's name to Dart Sageser.

January 16, 2014, Executive Minutes (Land Acquisition, Possible Litigation, Personnel, and Attorney Advice) were approved on a motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried unanimously, correcting the date in the header.

January 16, 2014, Regular Minutes were approved on a motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried unanimously with one correction, on page 3, under Van Doren, end of first paragraph, add new sentence: "He did not feel a survey was necessary."

OPEN TO THE PUBLIC

Glorianne Robbi, 144 Lambertville-Hopewell Turnpike, wanted to identify “two great partners” working with East Amwell, D & R Greenways and the Hunterdon Land Trust. She explained that D & R Greenways has been around since the 1990’s. She provided three articles on the organizations directly to the governing body. Mrs. Robbi said that they “are wonderful partners”; they do not charge for services, such as negotiations and weekly updates. She mentioned the work D & R Greenways has done within the Sourland Mountain region, including conservation of natural resources (water, the eco-system, etc.); they also have a trail brochure showing 700 acres of trails in Hopewell and in East Amwell, with trails connecting to the County Park east of Rileyville Road. Mrs. Robbi explained that D & R Greenways also preserved 89 acres on Cider Mill Road at no cost to East Amwell Township residents; they were able to secure \$2,000,000 through funding partners. She felt that it was important to confirm the Township’s partnership and support the organization.

Mrs. Robbi continued by stating that Hunterdon Land Trust (HLT) is a newer organization, about 15 years old, working in Hunterdon County. It is also a non-profit organization and does not charge for services. HLT negotiated the closing on the Drift property (across from the school), and it took over seven years to preserve. HLT acquired Duke Foundation “funding of \$72,000 for Drift and the same amount for Zuegner.” She stated that both “D & R Greenways and HLT work for the environment, noting that residents change, but the land stays here.” The agencies are funded through donations and memberships, with HLT receiving some funds from the Victoria Foundation and Geraldine Dodge Foundation.

Mrs. Robbi concluded that New Jersey farms will be disappearing and commented on having a state program in existence, which she hoped that the Governor and legislators would continue to fund.

Mayor Sageser noted that resident David Harding now works for HLT.

Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried unanimously to close to the public.

SPECIAL DISCUSSIONS - None

CONSENT AGENDA ITEMS

AMENDMENT OF RESOLUTION #16-14, RESOLUTION AUTHORIZING SIGNATURES ON TOWNSHIP BANK ACCOUNTS TO INCLUDE DEPUTY COURT CLERK ADMINISTRATOR DAWN AUGUSTINE

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RESOLUTION #27-14

BE IT RESOLVED by the Township of East Amwell, County of Hunterdon, State of New Jersey that they hereby resolved to amend Resolution #16-14, Authorizing Signatures on Township Bank Accounts, as follows:

Add the name of Dawn Augustine, Deputy Court Administrator, as an authorized signature on the Municipal Court General Account.

By Order of the Township Committee,

Dart Sageser, Mayor

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PROFESSIONAL SERVICES RESOLUTION – CONFLICT ENGINEERING SERVICES FOR THOMAS DECKER

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RESOLUTION 28-14

Conflict Engineer Services
Thomas Decker, Van Cleef Eng.
(As Attached to Original Set of Minutes)

By Order of the Township Committee,

Dart Sageser, Mayor

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HUNTERDON COUNTY CONTINUED FUNDING FOR MUNICIPAL ALLIANCE – See
2/11 Resolution From Jena Stevens

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RESOLUTION #29-14

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey;

WHEREAS, the Township Committee of the Township of East Amwell, County of Hunterdon, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Committee has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Hunterdon;

NOW, THEREFORE, BE IT RESOLVED by the Township of East Amwell, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Central Hunterdon Municipal Alliance grant for fiscal year 2014 in the amount of:

DEDR	\$31,844
Cash Match	\$ 7,961
In-Kind	\$23,886

2. The Township Committee acknowledged the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

By Order of the Township Committee,

Dart Sageser, Mayor

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Motion by Deputy Mayor Wang-Iverson and seconded by Mr. Van Horn. A question was raised about the conflict engineer; it was noted that it was for the specific property that the Township Engineer was unable to handle because of a conflict that he had. The motion to approve the resolutions was carried unanimously.

INTRODUCTION OF ORDINANCES/PUBLIC HEARINGS – None**SPECIAL COMMITTEE REPORTS - None****STANDING COMMITTEE REPORTS****ADDITIONAL 2014 APPOINTMENTS: ENVIRONMENTAL COMMISSION, RECREATION COMMITTEE, FOSPC LIAISON, WATER QUALITY MANAGEMENT PLAN (WQMP)**

The following changes were offered: Erica Johanson will move up from the alternate position to the vacant regular position on the Environmental Commission, and James Frederick will be changed to the Alternate I. Mayor Sageser mentioned that he and Mr. Mathews interviewed a candidate for the Recreation Committee, Sandra Gensini, and they would support her appointment to that committee as an alternate II. An email was received from Kit Crisafulli, stating that he would not be able to act as the Agricultural Advisory Liaison for the Farmland/Open Space Preservation Committee, so Frances Gavigan will be appointed to that position. Tracy Carluccio has advised that the WQMP advisory committee is still necessary, and both she and Mayor Sageser will be appointed to that group.

Motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously to approve of the appointments noted above.

FARMLAND/OPEN SPACE PRESERVATION COMMITTEE

1) Van Doren Donation, B. 35/L.58 (See 1/16/14 Minutes for Background): Mr. Cushing will review the agreement and notify Mrs. Robbi. Another copy of the proposed agreement will be sent to him.

Mr. Mathews mentioned concerns raised by resident Hermine Van Doren about a misconception that she was donating the property. Mrs. Robbi explained that the property belonged to another Van Doren, who was a successful lumber business owner in Hopewell Township, and members of his estate were making the donation.

UNFINISHED BUSINESS**TOWNSHIP ADMINISTRATOR'S UPDATE:**

1) 2/7/14 Resignation from CFO/Treasurer Steinberg: A copy of Mr. Steinberg's letter was previously distributed to the governing body; Mr. Matheny explained that Mr. Steinberg "got a better offer that he could not refuse"; he will be leaving at the end of March.

Mr. Matheny and Deputy Mayor Wang-Iverson have been meeting weekly with the CFO/Treasurer, and progress is being made on the ledgers. Mr. Steinberg wants to help with a smooth transition. Notice of the position is on the League of Municipalities' website.

Mayor Sageser asked about any update on the budget process, hoping that the budget would be started before Mr. Steinberg leaves. The auditor is getting what he needs to do his work, and Mr. Matheny again stated that the CFO/Treasurer wants to help with transition. Mr. Matheny will confirm dates for a budget meeting with Mr. Steinberg, and the Clerk will email the dates to the governing body. Mr. Matheny said that "Jeannine" is in the office one day a week and will continue through the end of March. Mayor Sageser mentioned that she may be available on Fridays going forth since she only works in Marlboro four days a week.

Mr. Matheny mentioned the number of ads for CFOs on the League site; he said there were about eleven towns (i.e., Mr. Steinberg is also leaving Marlboro and Bethlehem, and Judy McGrory is leaving Tewksbury and Hopewell Borough). Mr. Matheny has been in touch with Municipal Clerk Michele Hovan in Hopewell about sharing services; however, Hopewell Borough has very limited hours for the CFO and pays \$20,000 for some evening work. They may speak again once a candidate is found. Mr. Matheny explained that the candidate for a shared service would work at only one town and could not collect multiple pensions; he commented that many people

do not want to take on the additional work without significant compensation since they no longer qualify for the multiple pensions.

Mr. Miller commented on CFOs “coming and going,” asking why we were losing part time employees, suggesting maybe there were other options, such as full time help. Deputy Mayor Wang-Iverson commented that a part time CFO would be appropriate as long as there was an Assistant Treasurer working half time. He said that “we were spoiled with Jane Luhrs, who did all the work with an Assistant Treasurer who provided 3 hours a week.” In 2013, the Assistant Treasurer position was upgraded to 17.5 hours a week. He continued that candidates for the CFO position want to do higher level functions, e.g., management, signing off, budgeting, etc., but do not want to do the daily routine work, e.g., printing checks, payroll, etc. These candidates believe it is a waste of resources to do that work, and most towns have staff for this; he commented that “we won’t find anyone like Jane any more....” He continued by saying that there are very few CFOs, and they want part time work. Additionally, there is insufficient work for a full time CFO; he commented that a CFO for one day a week and an assistant at 17.5 hours per week should work best.

Mr. Miller asked if that meant one day or 8 hours; Deputy Mayor Wang-Iverson said perhaps one or two days. Mr. Matheny explained that some CFOs are part time in the evening, while working full time in another town. In the past, the salary for the part time work would be pensionable, so salary requests were lower. Since these positions are no longer pensionable and part time workers do not get medical benefits, the salary is the only incentive to take on the additional work and responsibilities.

Mr. Matheny further explained that a shared service would be good to have, but there would have to be a lead agency to hire the CFO and share with other municipalities. Mr. Mathews asked if East Amwell could be lead; Mr. Matheny thought that the Township could do it, and he has been talking with Clerk Hovan about this. Salary requirements may be as high as \$75,000-80,000 for a small town CFO, with some going as high as \$150,000 – 160,000 in larger municipalities.

Mr. Cushing commented on factoring in an appointment for four years with the employee getting tenure - the lead agency should be concerned about a long term commitment with or without partners, i.e., the lead agency would be responsible for the commitment whether or not the other municipalities continued with the shared agreement. Mayor Sageser asked whether something could be written into a contract that it was expected that the appointment was based on a shared service. Mr. Cushing commented that it could be written as such, but it was unclear whether or not this would be enforceable, adding that tenure is statutory and “trumps” contractual obligations.

Mayor Sageser mentioned some conversations about hiring accounting firms on a temporary basis to cover the CFO functions, e.g., Hackensack paid \$1 for this type of arrangement. Mr. Cushing mentioned DCA’s opinion on this, saying that the CFO must be an employee; he said that one option would be to hire the CFO by salary and hire the firm as advisors.

Mr. Mathews brought up the certification. Mr. Cushing explained that the person could serve one year without certification, and a second year could be appealed, particularly if a candidate is taking courses.

Mayor Sageser asked about the cost for the CFO with an accounting firm. Mr. Matheny spoke about a conversation between Mr. Steinberg and Mark Pfeifer (formerly at DCA) and with the auditor. There was still some confusion, but it was agreed that the person has to be an employee and licensed; using a firm may be more expensive. Mr. Mathews spoke about hiring a CFO with the intent to be certified, i.e., someone from the firm who commits to the Township; he felt that the certification could be obtained in 12-18 months. Mr. Cushing advised that the Township may want to do this after the budget has been completed since the budget is the “vital process for the year”; he felt that the auditor may be asked to provide some support and assistance. Mr. Mathews asked if Mr. Steinberg would be able to consult; Mr. Matheny stated that Mr. Steinberg would consult for about four hours per week if the Township doesn’t find a CFO. Mr. Matheny also explained that the certification process may not be able to be completed in two years or less, depending upon when the classes are offered and when the test is given by the state.

Mr. Mathews suggested getting DCA commitment and then advertising the position for a candidate with credentials who would be willing to become certified and thereby broadening the scope of candidates. Mayor Sageser commented on offering to pay for the classes, mentioning also paying for the time to do so. Mr. Miller questioned offering the time since the candidate would eventually have a lucrative career. Mr. Mathews commented on developing policy to train someone and expecting at least a two year stay at the township; he also commented on the possibility of having a resident apply for the position "now that the bar is lowered." Mr. Mathews also commented on discussions he and Linda (Lenox) had when reviewing the Township Administrator's contract in the past – he suggested the possibility of creating a CFO/Administrator position. Mr. Matheny said that Raritan Township has this position, and the salary is \$160,000. An Administrator/Clerk position was also mentioned.

The governing body discussed the previous CFO salaries, e.g., Mr. Steinberg is paid \$35,000 for one day; Mr. Trasente was offered \$40,000 for one day in the office and up to 15 hours per week – Mr. Matheny noted that Mr. Trasente's hours were difficult to track; Ms. Baldino received \$30,000 for two days in the office, but she increased her schedule to three days at a rate of \$45,000 – she averaged about 18-20 hours per week; Ms. Monzo was given \$30,000 for two evenings in the office up to 20 hours a week. The range for the position is \$14,999 to \$45,000 as an annual salary.

The Township Committee continued its discussion, with the following highlights: Mr. Van Horn suggested having a CPA as a baseline and then having the employee be trained to receive certification; Mr. Mathews spoke about leniency at the DCA and getting their commitment to work with the Township; Mr. Cushing suggested that in light of the shortage of available CFOs, the Township might want to work creatively and in good faith, e.g., if the employee working on their certification is not complete within the required two years, consider hiring another CFO for a minimal fee until the first employee is certified; Mr. Mathews asked if a waiver for the certification requirement could be obtained, similar to the waiver for the DPW; Mr. Matheny explained the DPW waiver, based on the size of the community and functions – each waiver is given case-by-case, and East Amwell's responsibilities do not include utilities, garbage, etc.

Discussion continued, as follows: Mr. Van Horn suggested putting a second advertisement on the League's website to encourage candidates who were willing to be trained, wording it properly to include a baseline of what they need to apply and hours required for the part time position. Mr. Mathews also suggested that while someone was being trained, they may need more time, perhaps three days in the office at the specific salary since it is not proven that the one or two day schedule works. He spoke about coverage when Mrs. Luhrs was here and getting the job done. Mr. Van Horn commented having a CFO enough hours to catch up and to work on the budget. Mr. Miller felt that the process is missing from one CFO to another and time being wasted on restarting each time. Mayor Sageser explained that part of the problem was that previous CFOs did not set up the system; he mentioned Mr. Steinberg's state background and his refusal to consider a 2014 bill list until year 2013 was up to date.

Further comments were exchanged, including the fact that someone with accounting could not grasp the state process without training. Mr. Mathews suggested that the 2014 budget could just be adopted as the 2013 budget. Mr. Mathews also noted that when Mrs. Luhrs was here, she did not specifically use one system for her records; she did things differently and kept other records. Also, changing from First Byte to another system was an issue, and there was not a repeatable best practice for the office. He again commented on getting the DCA to commit to hiring an uncertified employee and broadening the advertisement to include that type of candidate. Mr. Miller asked if any of the current staff would be interested. Mr. Matheny said that staff could not be discussed at this meeting; however, there was one staff member signed up for classes now.

Mr. Matheny noted the importance of having face-time in the office. Further suggestions were made to the notice that is currently on the League's site, suggesting that a non-certified candidate would be considered if they are committed to training; Mayor Sageser added that a number of hours range should be included without spelling out the specific hours. Deputy Mayor Wang-Iverson commented on the program, which includes 8 classes offered in spring and fall; cost for each class is around \$1,000, and not all classes are offered each semester. Some final

comments were made about Mr. Cushing’s creative idea and working with DCA until a certified employee is on board.

2) Request for No Passing Zone on Route 31, Mile Post 13 – 14.3: Mr. Matheny explained that the request from NJ Department of Transportation dealt with an area in the vicinity of just before Route 579 and below where the existing golf course is located in the south bound lane only. Mr. Mathews thought that the resolution may be in response to the West Amwell application for the liquor store.

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RESOLUTION #30-14

East Amwell Township
Hunterdon County, New Jersey

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 31 in East Amwell Township; and

WHEREAS, NJDOT recommends a revision to the centerline pavement markings on Route 31 to create a “No Passing Zone” in the vicinity of Mile Marker 13 – 14.3 for safety reasons; and

WHEREAS, this project will create safer driving conditions in this area of Route 31;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of East Amwell, County of Hunterdon, State of New Jersey, that it supports the use of a “No Passing Zone” on Route 31 in East Amwell as recommended by NJDOT.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the NJDOT as requested.

By Order of the Township Committee,

Dart Sageser, Mayor

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Motion by Mr. Van Horn, seconded by Mr. Mathews, and carried unanimously.

3) RFP Draft for Bond Counsel (See 1/1 and 1/16/14 Minutes for Background): Deputy Mayor Wang-Iverson explained that typically preparation of requests for proposals (RFP) is a staff function, but since they have not been done before, he felt it was a good opportunity for the governing body to review the one for bond counsel. This document is based on the contract provided by the current bond counsel (who is currently working under the 2013 contract); it itemizes functions and asks for fees for each function. Deputy Mayor Wang-Iverson explained that this is the first of RFPs to be considered by the Township over the next few years; he would like to see them done for all professionals. The RFP for an auditor will be done in the second half of the year.

Deputy Mayor Wang-Iverson asked that comments be sent either to him or Mr. Matheny. He would like to get the proposal out as soon as possible since there may be a need to consult with bond counsel in May for the renewal of bond anticipation notes, although the current contract with bond counsel has been extended and is in place. Mr. Cushing cautioned governing body members not to “copy all” on email responses.

Attorney Advice on Open Public Meetings Act:

Mr. Mathews asked Mr. Cushing for clarification about an agenda item. At the last meeting, a resident raised concerns about adding agenda items and a violation of the Open Public Meetings Act. He referenced the addition of the item, under the Township Administrator’s Update, about the baseball contracts, stating that baseball league members would not have had a chance to see this item listed on the agenda.

Mr. Cushing commented on the very detailed agenda provided by the Clerk, indicating that most municipalities do not have such detail on their agendas. He also noted that sometimes members of the public will bring something up that cannot be foreseen when the agenda is prepared. He commented on some flexibility and the adequate notice to the public about items, such as the Township Administrator's report, adding that there may be items that arise before the meeting that are timely but not on the agenda. He felt that the resident's view of the Open Public Meetings Act (OPMA) was extreme, and he had no problem with adding "Other" under the Administrator's Report on the agenda.

Mr. Mathews asked about a resident's comments on penalties for individuals who knowingly violate the law, and the fact that this was brought to the governing body's attention. Mr. Cushing explained that the resident was referring to a bill proposed by a Senator that was never adopted. He further explained that through the years there have been numerous bills pending to modify OPMA, but none have been adopted. Mr. Cushing explained that there are potential violations under the current law, but he believed that the agenda issue is not a concern.

Deputy Mayor Wang-Iverson said that he asked Mr. Cushing a general question last week regarding any violations by the East Amwell Township regarding OPMA; Mr. Cushing did not know of any. Deputy Mayor Wang-Iverson spoke about keeping the process transparent. Mr. Cushing explained that the Clerk is the first line of defense, and she does her job. He said that East Amwell's agenda is more detailed than any other town he represents, adding it is a gray area about how much one has on an agenda. He said that there are some who believe that the system should be so circumscribed that everything should be written on the website. Mr. Cushing explained that there is case law that suggests that as long as there is adequate notice of the items to be discussed, such as the Administrator's Report, this tells the public a report will be made; it is up to the resident to show up at the meeting or to call and find out about the agenda, or to contact their representatives for more information.

Mr. Cushing said that there was a balance to be struck between the work of the Committee with only one meeting a month and what goes on the agenda. He also noted that the Township Committee could apply stricter standards, set their own agenda, and tighten their roles. He concluded that there is no violation with the current process. Mayor Sageser asked that the record show the thoroughness of the Clerk with the minutes and agenda.

4) Amwell Valley Little League Contracts: Mr. Matheny explained that the annual contracts are being sent to the League, but there are items in the contracts that are no longer being done. He did not want to make changes to the contract without checking. He explained that the League uses the trailer and in exchange, they were to mow the fields. Last year there was \$3,000 allocated by the Township for mow, and Mr. Matheny is getting calls from vendors to quote. He asked again for direction on whether or not the Township would be budgeting the amount for mow. Mr. Mathews thought the money was for additional cuttings. Mr. Matheny said that the DPW does mow but not always on a Friday, and the League wanted a specific time for mowing, so an outside vendor was hired to do the fields at a cost of \$3,000.

A comment was made that there were more than ten signs on the fields for advertisement, and increasing the number of signs may increase. Mr. Matheny mentioned that the Township fulfills one of its stormwater management requirements by having an additional sign on the fences.

A decision was made to have the Recreation Committee review the contracts and provide input as they have done with the soccer fields.

5) Roadside Brush Collection: Mr. Van Horn said he would like to bring up roadside brush clean up once a year by the Department of Public Works. He mentioned residents, including himself, make piles of brush in the woods on their property, which are a potential fire hazard. Mayor Sageser suggested that DPW Superintendent Jason Silverthorn give this some thought and put the item on the next agenda. Having five men on the crew will allow for more paving repairs, and the DPW Liaison and Mr. Van Horn, along with Mr. Matheny, will speak with Mr. Silverthorn about the work involved with picking up brush. Mr. Mathews commented on budget issues with residents looking for services, and this would be appreciated.

6) Snow Removal: Mr. Mathews commented on the “great job” removing snow, but he asked about tilting the blade so that driveway openings were not blocked. He mentioned several roads where residents’ driveways were blocked, including Burd, Zion, Lindbergh, Mountain, and Linvale Roads. He understood the amount of snow that fell, and he asked about going back and opening driveways for residents.

Mr. Matheny spoke about the difficulties the DPW had in plowing, including back wheels spinning, blowing tire chains, and working long hours; he did not envision having the crew go back to make driveway accesses. He also mentioned the policy of replacement of mailboxes if they are hit by a blade, but not if they were buried by snow spill. Some comments were made about complaints on Back Brook Road, where garbage cans near the road were knocked over by the snow. Mr. Matheny spoke about maneuvering either the smaller mason dump trucks or the bigger trucks; he will speak with Mr. Silverthorn about their efforts going forth. Some comments were also exchanged about snow removal on Burd Lane, which is a private lane minimally maintained. Additional comments were made about notification by trash and recycling companies to let residents know that they will not be coming on regular pick up days; RVD does offer this service to some of its customers.

319(H) GRANT APPLICATION – REQUEST FOR RESOLUTION FOR SUBMISSION (See 1/16/14 Minutes for Background) Steve Souza, President of Princeton Hydro, was present during this discussion.

Dr. Souza explained that he is a long time resident, living on Iron Horse Drive since 1981. He thanked Mayor Sageser for his efforts in getting support letters for the grant, which he thought would “go a long way to help.”

Dr. Souza explained that in 2004 a 319(h) grant was secured for planning from the NJ DEP for the Sourland Mountain Watershed Plan; it was completed in 2008 and reviewed by the NJ DEP to establish water quality and ecological properties of the Back Brook and Stony Brook. Having done so has put the Township in a position of going after implementation money, and the Township was specifically identified in the grant notice, which “gives us a leg up.” He explained that East Amwell Township was the lead agency for the 2004 grant, which included three counties, a number of municipalities, and a variety of non-profit agencies, including Stony Brook Millstone Watershed. Dr. Souza has spoken with a representative from NJ DEP, who is very supportive of filing the grant application.

Dr. Souza spoke about his knowledge of the Township and being familiar with the drainage problems at Clawson Park as a possible funding option. He spoke with Engineer Dennis O’Neal and with Mayor Sageser about the game plan to apply for a grant of roughly \$500,000 – 600,000 to implement a stormwater management project at Clawson Park, and possibly some small rain garden or swale projects. One stipulation for the grant is that it must be on publicly owned property. He said that \$180,000 would be for engineering, there would be lots of reporting and monitoring requirements, public education and outreach, and NJ Water Supply Authority would be assisting.

Dr. Souza continued by stating that there would be no township money involved, i.e., it was “free money for the township,” although there would be some administration identified as \$48,000 in in-kind services for the 48 month project, e.g., meetings, using the meeting room, quarterly paperwork to be submitted, etc. Princeton Hydro will “do the heavy lifting.” The bulk of the funding will be for construction, and vendors are only paid after the Township receives funding from the state.

Dr. Souza mentioned what was outlined in the abstract, including what the NJ DEP is looking for in grant applications in terms of green infrastructure, landscape features such as rain gardens, swales near parking areas to manage run off, improved drainage and reduction of pollution to the Back Brook. The project would include low maintenance design, with perhaps once a year mowing or weed-whacking.

Dr. Souza mentioned doing a lot of applications for his clients over the past decade, receiving almost \$10,000,000 in funding. He again stated that there was no cost to the municipality for the application.

Mayor Sageser asked if the NJ DEP could possibly grant less than what is stated in the application; Dr. Souza said yes, mentioning an application he made for Great Swamp and receiving \$175,000 less than what was requested. Mayor Sageser mentioned previous drainage plans prepared by Engineer O’Neal; Dr. Souza said that if the Township received the grant funding, he would coordinate with the engineer. While he spoke with Mr. O’Neal about his plans, he suggested deferring until after awards are made in June to work on specific plans.

Deputy Mayor Wang-Iverson thanked Dr. Souza for writing the grant application; he mentioned requests from residents to fix the ice-skating rink at the park. Dr. Souza mentioned if a clay liner could be used in the basin, this may be something that could be considered. He stated that NJ DEP gives some latitude on the projects. Mayor Sageser commented on the Clawson Park Advisory Committee, which he suggested be involved in the planning. Dr. Souza agreed, noting that drainage is the number one concern, and there would be an opportunity for the committee to be involved.

Mayor Sageser mentioned that he has been requesting support letters; Dr. Souza read a partial list of contributors.

Mr. Mathews appreciated the abstract provided, mentioning the direct connection and impairments to Back Brook and Stony Brook. Dr. Souza commented on the original study, which showed impairment from either side of the mountain on 303D lists (i.e., streams that fail to meet water quality criteria); he stated that Back Brook goes to the Neshanic, and both are on the 303D list.

The \$180,000 in the grant application for engineering would be for services from Princeton Hydro, if the grant is approved. Dr. Souza explained that the structure of the application is such that if Engineer O’Neal had to charge \$10,000 to review plans, which is outside services to the Township, this amount could be incorporated into the grant. NJ Water Supply Authority will be paid \$15,000 as a partner for education and outreach. The Township would do administrative work, prepared by Princeton Hydro on a simple spreadsheet.

On a question, Dr. Souza said that the firm has no contract with the Township at the present time. They do some work with golf course review.

Mayor Sageser offered his appreciation for the efforts on the grant. Dr. Souza explained that as a resident of the Township, he wanted to assist. He explained, however, that it is a competitive program with \$1.6 Million from federal clean water act funding available; he suspected that perhaps only 3 or 4 grants would be given. He also noted that he has prepared applications for others, including Union Township.

Mr. Mathews asked that Dr. Souza be as transparent as possible as a resident and a business owner.

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RESOLUTION #34-14

WHEREAS, the Back Brook sub-watershed of the Neshanic River and South Branch Raritan River is a unique and vital resource integral to the Township of East Amwell; and

WHEREAS, Back Brook provides many areas of scenic beauty and recreational enjoyment for local residents; and

WHEREAS, Back Brook, Neshanic River and South Branch Raritan River are New Jersey Department of Environmental Protection-303D listed streams with documented water quality impairments; and

WHEREAS, the Township of East Amwell has demonstrated a strong commitment to sound land-use planning as a means of protecting environmentally sensitive resources within the Township, with particular focus on water quality issues; and

WHEREAS, the Township of East Amwell Environmental Commission via the 2008 NJDEP approved Sourland Watershed Protection Plan documented that the Back Brook is a particularly valuable and sensitive environmental resource in need of restoration and enhancement due to impacts attributable to non-point source pollution and stormwater runoff; and

WHEREAS, the Township of East Amwell wishes to initiate the implementation of the restoration and enhancement recommendations set forth in the Sourland Watershed Protection Plan; and

WHEREAS, the Township of East Amwell has worked with Princeton Hydro, LLC, of Ringoes, in the past in the completion of the NJDEP Section 319(h) funded Watershed Protection Plan for the Back Brook sub-watershed; and

WHEREAS, the goal of the Watershed Protection Plan for Back Brook is to implement the measures recommended to ensure the stream’s water quality and overall ecology is improved;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of East Amwell, County of Hunterdon, State of New Jersey, that they hereby support the need for the implementation of the Sourland Watershed Protection Plan for the Back Brook and recognize the great value it will have for the Township.

By Order of the Township Committee,

Dart Sageser, Mayor

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Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Van Horn, and carried unanimously to approve the resolution.

EAST AMWELL HISTORICAL SOCIETY FUNDRAISER – REVISED DATE OF MAY 10, 2014 – See 8/8/13 Minutes for Background Kat Cannelongo, Member of the Society, was present at this time.

Ms. Cannelongo provided information to the Township Committee, explaining that the intent is to have a 5K event on May 10, known as the Ringoes Run Through History. Proceeds will go to the rehabilitation of Clawson House. The event will begin at 9 a.m. for the race and at 9:30 a.m. for the one mile walk through the park. Marcia Karrow has agreed to put the event on the Tricentennial Calendar, although the Society intends to make this an annual event. April 30th is the cut off for registration.

Parking for the event was discussed. It was noted that this may or may not be the same date as baseball opening day. It was suggested that Ms. Cannelongo speak with the owners of Harvest Moon, and the State Police may allow parking on Old York Road. Ms. Cannelongo commented on getting high school clubs to help with directing traffic and garbage pick-up.

On a question from Ms. Cannelongo, Mr. Matheny agreed to have the restrooms open at the park for the event, along with having port-a-potties on site.

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RESOLUTION 31-14

BE IT RESOLVED that the Township Committee of the Township of East Amwell hereby supports the East Amwell Historical Society’s Ringoes Run Through History to be held on May 10, 2014, to fundraise for the rehabilitation of Clawson House.

By Order of the Township Committee,

Dart Sageser, Mayor

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Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried unanimously.

BOARD OF HEALTH RESPONSE RE NOXIOUS WEED ORDINANCE – See 2/5/14 Memo from Board of Health

Deputy Mayor Wang-Iverson noted that the Board of Health was concerned about the cost associated with the proposed ordinance and the intent to use herbicides rather than mowing. Additionally, they did not believe that it was appropriate to use the existing nuisance ordinance for this purpose since the Board cannot enforce it. They suggested that the Township Committee send it to the Agricultural Advisory Committee for their consideration.

Mr. Mathews felt that the proposed ordinance could be enforced by the Zoning Officer. He mentioned the issue was first brought up by farmers who were concerned when the boom mower was broken and weeds growing along the road sent seedlings into their fields; the Kanach issue was more narrow. Mr. Van Horn spoke with the County Inspector who comes to the Board of Health meetings; the inspector advises that they will not enforce the local ordinance.

A recommendation was made to send the proposed ordinance to the Agricultural Advisory Committee so that they can represent the impact to the agricultural community and ask what action they wanted to see. Mr. Cushing spoke about there being some documentation at the state regarding regulation of thistle, and Ms. Gavigan (in the audience) added that the NJ DEP is looking for farmers “to push the point.”

COMMUNITY WILDFIRE PROTECTION PLAN (CWPP) (See July and August 2013 Minutes for Background)

Discussion took place about the plan, with the state working with the Office of Emergency (OEM) groups to develop the plans. The East Amwell Township plan asks the municipality to rank projects. There are four parts, including communication about cleaning property to prevent fires; LaPorte Preserve Brush clean-up access improvement; a drill on the LaPorte property, staged by the Amwell Valley Fire Company; identification of stake holders.

Mr. Mathews felt that the plan was acceptable, and he recommend the adoption of the plan as written and advising Gary Myers and the LEPC to start planning. Deputy Mayor Wang-Iverson asked if there was enough money to proceed. Mr. Mathews explained that the fire department and the state agency would be working on the financial aspects, and the drill would not exceed the allocated amount of the grant. Mr. Mathews noted that the Mayor’s name would have to be changed in the report. Using a tax bill insert for education was also suggested.

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RESOLUTION #32-14

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby accept and support the latest version (September 2013) of the East Amwell Township Community Wildfire Protection Plan as an Action Plan for Wildfire Mitigation.

By Order of the Township Committee,

Dart Sageser, Mayor

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Motion by Mr. Mathews, seconded by Mr. Miller, and carried unanimously by members in attendance (i.e., Mr. Van Horn was out of the room during the vote but returning thereafter).

GONSIEWSKI FEES FOR BOARD OF ADJUSTMENT – REQUEST FOR RETURNED ESCROW FEE (See January 16, 2014 Minutes for Background)

Mr. Cushing said that he has prepared the resolution for refund of \$750.00, but it was not yet provided to the governing body. He offered to read it into the record, but the Township Committee agreed to add this item to the next agenda for consideration.

NEW BUSINESS

OUTWARD COMMUNICATION TO RESIDENTS – Discussion Led by Mr. Mathews

Mr. Mathews mentioned examples of notifications he receives from Princeton and Franklin Township and asked the governing body to consider them. He is in disaster management in his business, and in that capacity he relies on consistent communications from the community every other hour. Mr. Mathews commented on using Nixle, on getting a higher subscription rate, and on providing more information to the residents on that service.

Mr. Mathews spoke about starting a discussion on what information to provide to residents. Mayor Sageser also mentioned providing more, valuable information through Nixle unless the County only allows emergency information. Mr. Mathews mentioned Princeton's alerts, noting that they have a Police Department, who provides updates. He also stated that the more information provided, the more aware and resilient the public would become.

It was noted that Hopewell Township dropped Nixle and is now using robo-calls to all landlines, and people with cell phones can opt in. Mr. Mathews noted that Nixle was an opt-in service. Reverse 911 should be used for dire situations.

Deputy Mayor Wang-Iverson felt that Nixle was a useful service and would like to see it expanded. He also reminded the governing body about the Facebook page he set up, and he encouraged the members to provide updates – they can get the log in information from the Clerk if they want.

Mr. Matheny said that there are 160 subscribers to Nixle, with 88 for text and 80 on email for the free service. He said that the Hopewell system is a paid service. Additionally former OEM member Charlie Soos set up a United Alert system, which is also a free system, mostly for emergency items. He suggested getting comments from OEM on the system. Mr. Matheny also noted that the Township is not a clearing house for weather or police activities.

ESTIMATED COST OF ANNUAL REASSESSMENT – 2/9 Memo from Assessor Marianne Busher

Deputy Mayor Wang-Iverson asked the Assessor for the memo, based on a suggestion made during the reassessment presentation in the summer. Rather than reassessing the entire township every seven years, the premise is to do 25% of the township each year. The advantage would be to eliminate swings in property values, and presumably, residents would not be as upset with the adjusted values each year by current market conditions. The program would have to be funded by \$15,000 every year in order to provide “real time assessments for residents.” The cost would be about the same cost as a full town reassessment every five years.

Mr. Mathews spoke about receiving a debriefing on complaints from the last program. Mayor Sageser asked if the residents reassessed annually would be a random sample of the township; Deputy Mayor Wang-Iverson believed that they would be properties in all districts representing various areas of the township and different valuations. Mayor Sageser felt that this item should be considered at budget meetings as a fixed cost going forth, if the decision to do it prevails.

OPEN TO THE PUBLIC

Frances Gavigan, 123 Wertsville Road, spoke about brush clean up, suggesting that the Township make use of the County prison labors. She suggested speaking with George Wagner at the County about the program. She also mentioned an investment in a hydraulic truck as a cost effective way to proceed.

Ms. Gavigan spoke about the CFO position, mentioning CFOs coming in to positions which they were not what they believed them to be. She spoke about spending \$40,000 on an accounting system when a CFO didn't like the existing one. She suggested that Mr. Steinberg prepare accurate job descriptions so that the new candidates have an understanding of what they are being hired to do. Ms. Gavigan felt that having a well defined process without clerical mistakes was important. She suggested a combined Township Administrator/CFO position and having \$120,000 in salary to hire. She spoke about a lack of support for performance perceived ... "with financial problems, accounting problems, embarrassment and possible problems with the state." Ms. Gavigan suggested in the interim hiring an accounting firm, as the County is doing. She suggested speaking with the County about costs and legalities.

In terms of the budget process, Ms. Gavigan had concerns with using the open space budget for mowing; while legally acceptable and proper, it may not be understood by the public. She suggested a community meeting to get input from the residents on the topic.

Ms. Gavigan commented on the intent to reassess 25% of the township, she was not in favor and believed that others would not be either. She spoke about a statutory requirement to do it every 5 - 7 years. She spoke about spending \$40,000 for a reassessment and the impact on income to the community, particular hitting seniors severely. Ms. Gavigan mentioned income limit tax freezes, knowing a couple who were hit very hard.

Ms. Gavigan mentioned the Clerk's hours and responsibilities. She also noted the good people working at East Amwell Township, stating "... treat them well and they'll stay."

Kendra Scroeder, 69 Bowne Station Road, commented on the good job by the DPW.

The meeting was closed to the public for comment.

EXECUTIVE SESSION

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RESOLUTION #33-14

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 possible litigation (Scibilia), contracts (CFO suggestions), and receive attorney advice; 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,

Dart Sageser, Mayor

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Motion by Mr. Van Horn, seconded by Mr. Mathews, and carried unanimously to approve the resolution to enter executive session at 11:50 a.m.

There was a short recess and the session began at 11:54 a.m.

The regular meeting resumed at 11:58 a.m., and Mr. Cushing left the meeting at this time.

ADMINISTRATIVE REPORTS

TREASURER/CFO OFFICE

Resolutions:

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RESOLUTION #35-14

EMERGENCY TEMPORARY APPROPRIATION
PRIOR TO ADOPTION OF THE BUDGET
(As attached to the original set of Minutes)

WHEREAS, N.J.S.A. 40A:4-20 provides authorization for an emergency temporary appropriation after the first thirty days of the fiscal year and before the adoption of the 2014 Municipal budget; and

WHEREAS, this resolution authorizes appropriations representing 50% of the full 2013 appropriations with the exception of debt service and obligations associated with seasonal considerations;

NOW THEREFORE, BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-20:

- 1. An emergency temporary appropriation be and the same is hereby made for each of the accounts listed on the attached.
2. That each said emergency temporary appropriation will be provided for in the CY 2014 budget under the same title as appropriated above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

By Order of the Township Committee,

Dart Sageser, Mayor

Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Van Horn, and carried unanimously.

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RESOLUTION #36-14

RESOLUTION AUTHORIZING TRANSFER
OF APPROPRIATION RESERVES
DURING FIRST THREE MONTHS
OF THE FISCAL YEAR

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation reserve transfers during the first three (3) months of the following fiscal year, when it has been determined that additional funds may be necessary to pay for services or goods that had been received in the operations of the preceding year.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of East Amwell does hereby authorize the transfers among the Appropriation Reserves (Calendar Year 2013 Municipal Budget) as follow:

From:

Table with 2 columns: Description and Amount. Rows include Vehicle Maint OE (\$ 6,500.00), Clerk OE (1,000.00), Fire Prevention OE (250.00), Administration S&W (1,500.00), and Finance S&W (1,000.00).

To:		
Auditor		\$ 2,500.00
Group Insurance		1,000.00
Municipal Court OE		3,000.00
Clerk S&W		1,000.00
Fire Prevention S&W		250.00
Public Health Services OE		2,500.00
Totals	\$10,250.00	\$10,250.00

By Order of the Township Committee,

Dart Sageser, Mayor

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Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried unanimously to approve the transfer resolution.

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RESOLUTION #37-14

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby approve the refund of a driveway bond in the amount of \$1,500 to John Perehyns, Block 7, Lot 3.03.

By Order of the Township Committee,

Dart Sageser, Mayor

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RESOLUTION #38-14

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby approve the refund for unused witness fees in the amount of \$500.00 to Bayer-Risse, Block 40.01, Lot 1.02

By Order of the Township Committee,

Dart Sageser, Mayor

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Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried unanimously.

Bills of the evening (both the January 30, 2014, and the February 10, 2014, lists) were approved on a motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried unanimously.

TAX COLLECTOR HYLAND provided her January 2014 report and a redemption resolution.

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RESOLUTION #39-14

WHEREAS, there has been a redemption made for Tax Sale Certificate #201302, Block 18 Lot 22.01, 35 Larsen Road, sold on October 3rd 2013 to US Bank Cust. For Pro Capital III, LLC; and

WHEREAS the amount of \$3,787.20 has been collected from HSBC for the owners David and Margaret Korinchock for the redemption of Tax Sale Certificate #201302.

THEREFORE, BE IT RESOLVED that a check in the amount of \$3,787.20 be prepared by the Tax Collector and mailed to US Bank Cust. For Pro Capital III and,

BE IT FURTHER RESOLVED that a check for the premium paid for Tax Sale Certificate #201302 in the amount of \$4,100.00 be prepared by the Treasurer and that the Mayor, Clerk, and Treasurer be authorized to sign this check and that it also be returned to US Bank Cust. For Pro Capital III, LLC.

By Order of the Township Committee,

Dart Sageser, Mayor

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Motion by Mr. Mathews, seconded by Mr. Van Horn, and carried unanimously to approve the resolution.

MUNICIPAL COURT ADMINISTRATOR HOOVEN provided her January 2014 Report.

DPW SUPERINTENDENT SILVERTHORN provided his January 2014 report. He was commended for the more readable and informative log. Mr. Van Horn recommended that the report be put on the website, the same as the police report, to let the public know what the DPW has been doing.

NJ STATE POLICE-KINGWOOD January 2014 report was noted.

CORRESPONDENCE

Mr. Mathews asked to see the Handex Submission of the CEA/Well Restriction Area.

Mr. Anderson’s update re: Enhanced and Maintained Electric System and Reliability was mentioned. Mayor Sageser mentioned that \$2.5 Million will be used specifically for East Amwell and Ringoes, i.e., circuit 61 comes out of the Ringoes substation and goes into the Sourlands; this is on the list of upgrades and pole replacement. Some comments were made about having people provide a list of poles that may need replacing. Mr. Mathews suggested that the DPW could look at the poles and get numbers when they are on the road. Another suggestion was to have residents to take pictures and post “their favorite pole” on Facebook and have a contest.

ADJOURNMENT

There being no further business, motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously to adjourn the meeting at 12:19 p.m.

Teresa R. Stahl, RMC/CMC
Municipal Clerk