

The regular meeting of the East Amwell Township Committee was called to order at 7:30 p.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. 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 June 10, 2014.

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

### **AGENDA REVIEW**

Under Special Discussions, add a resolution of congratulations to resident Stella Kanach on her 100<sup>th</sup> Birthday on July 7<sup>th</sup>.

Under Farmland/Open Space Preservation, add the Ridge Road Assembly and request to utilize \$1,000 from the Green Acres Funding for Soft Costs.

Under Township Administrator's Update, table item 3, probationary positions, until the July meeting.

Under Correspondence, add 6/11 Email from David Wang-Iverson re: Open Space Trust Fund Balances 2014-2021 and 6/12 email re: Current Draft 2014 Budget Sheets

Item 13-B, East Amwell Township School Permits, will be moved to Special Discussions to accommodate a member of the School Board, who is in attendance.

### **ANNOUNCEMENTS**

East Amwell Township now has a Facebook Page. Follow us at [Township of East Amwell, New Jersey](#).

Hunterdon County Community Day will be held on Saturday, June 21, 2014, from 12 p.m. – 8 p.m. at the Hunterdon County Fairgrounds on Route 179.

Municipal Offices will be closed on Friday, July 4, 2014, in observance of Independence Day.

Summer Playground will take place at East Amwell Township School from June 30<sup>th</sup> to July 25<sup>th</sup>. Access information at [www.eastamwell.org](http://www.eastamwell.org) and open Virtual backpack for April.

Hunterdon County will hold a household hazardous waste clean up day on Saturday, July 12, 2014, from 9 a.m. – 1 p.m. at the County Complex. Email [swrs@co.hunterdon.nj.us](mailto:swrs@co.hunterdon.nj.us) for further information.

### **APPROVAL OF MINUTES**

May 8, 2014, Regular Minutes were approved on a motion by Mr. Van Horn, seconded by Deputy Mayor Wang-Iverson, and carried unanimously.

June 5, 2014, Special Minutes (Budget) were approved on a motion by Deputy Mayor Wang-Iverson, seconded by Mr. Van Horn, and carried unanimously with corrections on page 3, paragraph one, last sentence, remove the words “per year”; on page 4, third full paragraph, line 4, Deputy Mayor Wang-Iverson changed his projection from “a quarter of a million dollars” to “\$25,000.”

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

Sharon Davidson, Lindbergh Road, lives close to the burned out apartment building (Peacock's) and received a letter from the property owner, Jeff Robertson, which she had forwarded to some governing body members. She said that the letter detailed the status of the rebuilding project and interactions with officials on zoning and permitting "have been frustrating, ... with lack of clarity on what is or is not allowed." Ms. Davidson was concerned that Mr. Robertson's frustration would lead him to abandon the project and leave a burned out building on the corner. She asked about the process, and she asked for assistance and clarity to move the project along.

Mayor Sageser said that there was movement behind the scenes, addressing complicated circumstances with a non-conforming use and a 1986 variance with specific units approved. The owner is looking for more units, which would need a variance, and there may have been some misunderstanding in the process. Deputy Mayor Wang-Iverson said that the engineer, the Board of Adjustment attorney, and the planner have been in contact; a new application to the Board of Adjustment will be required. The Deputy Mayor relayed some positive comments about the application, if it is submitted, although the original goal of rebuilding by the end of the year would probably not be possible. Mr. Mathews said that he was not aware of the email; the Mayor and Deputy Mayor were copied on the email provided to specific people; a copy will be provided to Mr. Mathews.

Frances Gavigan, 123 Wertsville Road, understood from the Board of Health meeting that Mr. Robertson would have to have state approval for the septic location and volume; Mayor Sageser thought that the permission for volume was given, while Deputy Mayor Wang-Iverson said that this was unclear. The owner will have to have treatment works approval for a 12 apartment building. Ms. Gavigan commented on a commercial component of the property, which everyone would like; Deputy Mayor Wang-Iverson mentioned economic considerations on the owner's part. Ms. Gavigan asked about the 20% loss; Deputy Mayor Wang-Iverson said it was 20% remaining, stating that had the owner built the nine existing apartments and the store on the same footprint, he would have been able to do so, but he was unwilling to do this. She then asked about COAH units; Deputy Mayor Wang-Iverson said that the subject had been broached, but the owner did not perceive the advantages but will explore it. Ms. Gavigan asked about a small convenience store; the Deputy Mayor said that the owner might consider using the carriage house for the operation if he could find a tenant, but he was not willing to put it in the building because of cost. Some further comments were made about the accuracy of the gallons per day (gpd); information was obtained from Bohren and Bohren and provided to the NJ DEP.

Mr. Mathews asked about hauling away the debris on the site; Mayor Sageser said that the Township should be considering a property maintenance code, adding that the owner of the property declined to remove the debris while he was getting his approvals. The Mayor concluded that "all were enthusiastic" about the progress.

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

**SPECIAL DISCUSSIONS**

**COMCAST QUARTERLY PRESENTATION** Rob Clifton, Director of Government Affairs, was present for this discussion.

Mr. Clifton spoke about the fourth year that Comcast is rolling out a program for low cost internet for students from K-12, who qualify for the federal free or reduced lunch program. Advertisements are coming through a third party and going directly to the schools for September. Participants cannot be current Comcast customers. Internet cost would be \$9.95 per month and will help bridge the gap for the students, particularly since schools are going on line with portals, testing, etc. Mr. Clifton provided some brochures, adding that schools would be notified over the summer; the program was part of the FCC negotiations when Comcast purchased Universal.

Chuck Miles, 32 Snyderstown Road, was in the audience and identified himself as a School Board member at East Amwell Township School. He will make sure that the brochure goes into the school newsletter for everyone.

Frances Gavigan asked if there was an equivalent program for veterans or low income seniors. Mr. Clifton said that there would be 10% off basic cable for those people who qualify for PAAD. He will get information for her about this.

There were no other comments for Mr. Clifton, and he was thanked for his presence this evening.

RESOLUTION FOR 100<sup>th</sup> BIRTHDAY OF STELLA KANACH

The Township Committee acknowledged the special birthday celebration for a long time resident of East Amwell. The resolution will be personally delivered to Mrs. Kanach close to or on her birthday.

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**RESOLUTION #77-14**

WHEREAS, one of East Amwell’s long time residents, Stella Kowalski Kanach, was born on July 7, 1914, to Julian and Matilda Kowalski of Elizabeth, New Jersey; and

WHEREAS, Stella fell in love and married Joseph Kanach and moved to East Amwell in 1934, where they raised their family of six children, Jack, Julian, Joan, Jerry, Tom, and Janet; and

WHEREAS, Stella spent many years as a farmer’s wife, spending hours involved with farming, including milking cows by hand, gardening “the old fashion way,” and cultivating her flower garden, while raising her children, many of whom also became farmers, and

WHEREAS, Stella enjoyed her life in East Amwell, residing to this day at the family homestead on Manners Road, with many of her children still providing care and comfort, including maintaining her beloved flower garden;

NOW, THEREFORE, BE IT RESOLVED by the East Amwell Township Committee that they hereby acknowledge the contributions made by Stella Kanach and congratulate Stella on celebrating her 100<sup>th</sup> birthday on July 7, 2014, in the Township of East Amwell, and

BE IT FURTHER RESOLVED that they hereby wish Stella Kanach continued good health and many more wonderful birthdays surrounded by her family and friends!

By Order of the Township Committee,

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Dart Sageser, Mayor

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

CONTINUED DISCUSSION ON AND INTRODUCTION OF THE 2014 BUDGET

CFO Chris Hart was present during these discussions, along with DPW Superintendent Jason Silverthorn.

Mr. Hart mentioned the recommendation he received last week to keep a flat budget with no tax increase. He recommended introducing the proposed budget tonight since it is very late in the year, noting that the Committee could make some small adjustments, if they so chose, by the July 10<sup>th</sup> meeting.

Since Mr. Silverthorn was present, the Committee agreed that they would like to have his input. Mr. Silverthorn said that there were discrepancies on the budget pages, including items that were

charged to incorrect budgets for vehicle maintenance and for buildings and grounds. Deputy Mayor Wang-Iverson asked about the \$18,000 in repairs; Mr. Silverthorn said that they used \$11,321 but with the current equipment, the money will be used, i.e., there is only one truck in the fleet under warranty. Additionally, no tires were purchased for trucks last year, and each truck takes six tires at \$500 each.

Mayor Sageser asked about \$10,000 for the tub grinder and \$11,000 for OE. Mr. Silverthorn spoke about funds being transferred and having \$7,500 for a DEP permit. He concluded that the "bottom line" was that the budget should be \$34,000, not \$39,000 and minus out \$7,500 for the NJ DEP permit.

Some discussion took place about the tub grinder, with Mr. Silverthorn stating that the Township used it for two spring events in the past at a lesser amount of money. The intent going forth is to mulch in March before the weather breaks. There is significant brush on site now, and there is also a NJ DEP permit with specific requirements for storage. Mr. Silverthorn also noted that the vendor may have over-quoted, and if his time is less, the bill is less.

Mr. Mathews asked about roadside pick-up versus tub grinding, with some residents having difficulty bringing material to the yard. Mr. Silverthorn felt that there was a huge demand for grinding with residents leaving materials all year long; a comment was made about needing a truck for delivery. Mayor Sageser mentioned the fact that the chipper may have to be replaced if curbside chipping was reinstated. Mr. Mathews asked about using the chipper for material at the yard; Mr. Silverthorn said that there was too much volume, adding that residents drop off more at the yard than they would collect curbside, e.g., bigger logs, stumps, etc. Additionally, residents take advantage of the mulch. A comment was made that Raritan Township charges residents for this type of service. Mr. Mathews also asked if contractors may be utilizing the yard; Mr. Silverthorn acknowledged that staff is not able to be there 24/7 and could not monitor.

Mayor Sageser asked about lines of \$12,000 for snow removal and \$7,000 for overtime; there was \$8,699 charged to overtime last year, which Mr. Silverthorn thought would not be any less this year. Mr. Silverthorn will review the budget which now shows \$12,000 for snow removal, or \$10,000 more than last year; he will work with Mr. Hart to get correct numbers.

Mayor Sageser commented on "trying to play catch up" with the budget and the intent to get spreadsheets aligned for next year's budget, commenting on the Edmunds system being not quite aligned correctly or be able to cross reference properly.

Mr. Mathews commented on a budget that was "loosely agreed to, with a flat rate." He commented on the salaries, noting that the Township Committee's salary would not increase. It was noted that there were other employees who would not increase, including the DPW Superintendent and the Fire Official; Mr. Mathews also said that staff under contract do not automatically get an increase.

Township Committee members agreed that they would meet in two weeks for a special budget meeting; they agreed that they would meet on June 30<sup>th</sup> at 7:30 p.m.

Mr. Hart explained that the CAP Ordinance must be introduced prior to the introduction of the budget, and the item was moved up on the agenda.

INTRODUCTION OF CAP ORDINANCE

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**TOWNSHIP OF EAST AMWELL**

**ORDINANCE #14-05**

**2014 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK PURSUANT TO N.J.S.A. 40A: 4-45.14**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to

2.0% or the Cost of Living Adjustment (COLA), whichever is less, unless authorized by ordinance to increase it by up to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

WHEREAS, the Township Committee of the Township of East Amwell, in the County of Hunterdon finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$7,467.10 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Township of the East Amwell, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of East Amwell shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$52,269.67, and that the CY 2014 municipal budget for the Township of East Amwell be approved and adopted in accordance with this ordinance; and,

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

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

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

By Order of the Township Committee,

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Dart Sageser, Mayor

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

Introduced: June 12, 2014

Adopted:

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Motion by Mr. Mathews, seconded by Deputy Mayor Wang-Iverson, and carried unanimously to approve introduction of Ordinance 14-05.

The ordinance will be published in the June 19, 2014, issue of the Hunterdon County Democrat, and the public hearing will be at the regular meeting of the Township Committee on July 10, 2014.

## DISCUSSION ON ROAD PROJECTS

Mayor Sageser mentioned a capital budget issue, explaining that the DPW Superintendent Jason Silverthorn has been working with Engineer Dennis O'Neal on the serious maintenance issues with the roads due to the bad winter conditions. There has been no significant paving in many years, and a list of roads in disrepair were mentioned, including the following: Garboski, Bowne Station, Cider Mill, Rainbow Hill, Zion, Mountain, Rocktown, Linvale, Ridge, Orchard, Lindbergh, Stony Brook, Snyderstown to Mountain Church. Mayor Sageser explained that the proposed schedule would be 4 – 5 years, and consideration of bonding would be prudent. Mayor Sageser suggested that Mr. Silverthorn and Mr. O'Neal might be able to prepare a spreadsheet with a time line; Mr. Silverthorn said that it would take at least three years to do the work, adding that the Township is “way behind on the 5 year road plan.”

Mayor Sageser asked that Mr. Silverthorn speak about the chip-seal program. Mr. Silverthorn said that this type of repair is not considered a capital improvement and would come out of the operating budget. He further explained that chip-sealing would extend the life of the road, and the cost is about \$24,000 per mile. The cost of the MABC repair equates to \$92,000 per mile. There is a maximum of about a five year extension on a chip-sealed road; even if the road had a 10-15 year overlay, it would be important to chip-seal on a five year rotation. Mr. Silverthorn speculated that roads in not too poor shape may need a one inch treatment while bad roads may need three inches of material. Mr. Mathews asked if the DPW would be able to do any of the work. Mr. Silverthorn said no, that the Township does not have the necessary equipment, adding that the County does have a contract which the Township could take advantage of at a better price, similar to the salt program.

Mr. Silverthorn again stated that chip-seal is under OE, not capital, adding that the blacktop does come out of capital. Mr. Silverthorn explained that they have done sub-grade reconstruction before overlay, using materials available to them. Mr. Mathews said he would like to see how much could be done with in-house labor. Mr. Silverthorn spoke about possible paving of Garboski and Bowne Station in the spring, adding that the DPW could do the sub-grade and then get a MABC cover; Mayor Sageser added that this was done on Van Lieus and the upper portion of Garboski. Mr. Silverthorn explained that when roads crack, water gets into the sub-grade and destroys the road. If the DPW did the sub-grade, fixing soft spots, the contractor could then seal. Mr. Mathews asked if the projects on Garboski and Bowne Station included sub-grade reconstruction; Mr. Silverthorn said no, just overlay. Mr. Silverthorn also spoke about work on Rocktown that needed to be completed, using asphalt or reclamation, speaking about the complexity of the work.

Mayor Sageser commented that not all of the work could be completed in three years. Mr. Mathews asked if outside firms would be doing all the work, or would the DPW help with the sub-grade work, reducing cost by doing “in-house.” Mr. Silverthorn explained that the work would only account for 33% of the roads being repaired, adding that the DPW is committed to completing Garboski and Bowne Station – if there is time, they will keep going, thus reducing cost for outside contractors. Mr. Silverthorn also mentioned the intent to do a full repair on Cider Mill Road. Mr. Mathews asked about doing Garboski and Bowne Station this year and looking at Cider Mill next year. Mr. Silverthorn commented on having \$65,000 in the budget, but noting that overlay costs may go up.

Mr. Mathews commented on information that the Township did not receive the grant that they applied for through the NJ Department of Transportation. Mayor Sageser said that the engineer will plan to apply for the same grant next year, and he will also contact the State for information on why the Township did not receive one this year.

Mr. Mathews asked if the engineer had prioritized the list of roads. Mr. Silverthorn said that “all the roads are equally in bad shape,” and he said that the list is how he will proceed; he added that the numbers may come down as the work is done, but it was better to include the maximum amount possible. Mayor Sageser asked about addressing the list each year to prioritize.

Mr. Van Horn spoke about some roads that have been overlaid but have edges that are crumbling. Mr. Silverthorn explained that they are old dirt roads that may have been chip-sealed with no base. For example, Snyderstown was paved in 2007 and should have been chip-sealed thereafter. Mayor Sageser also mentioned Lindbergh and Stony Brook Roads, as well as

Zion to Burd Roads – these roads had no edges but they were dug out and new material applied to increase the width of the road.

Mr. Van Horn asked how the DPW would proceed. Mayor Sageser suggested providing some input in expanding the spreadsheet and discuss again at the June 30<sup>th</sup> meeting. The Mayor added that the CFO said it was not necessary to introduce the capital budget with the operating budget; Mr. Hart agreed that it was at the discretion of the governing body. Mayor Sageser said that further discussion was needed on bonding possibilities and the need for the governing body to be comfortable with it. It was agreed that there would be no vote on the road list tonight.

Mr. Miller asked about the drainage issue on Linvale Road. Mr. Silverthorn explained the problem on a horse farm on the left hand side of the road before Mountain Road, when there was previous work done and drainage from the road was diverted onto the property without obtaining an easement. During recent heavy rains, the property owner’s landscaping washed out. The cost to repair will be around \$160,000, and the work will have to be completed by a contractor, e.g., re-piping, installing a catch basin, etc. Mr. Silverthorn said that the property owner fixed the damage but she does not want a washout again. Mayor Sageser suggested that the Township Committee may want to consider bonding for the work going forth, later in the year. Mr. Silverthorn said that there was a horse ring on the property and the need to divert the water onto the road and go into a ditch installed past her property.

The ordinance for the insulation at the township garage was mentioned. There was a bond ordinance for \$260,000 for this work and a backhoe. Mr. Mathews asked if the money wasn’t spent, could it be redirected; Mr. Hart said yes. Mr. Matheny explained that the money was for insulating the garage and heat to protect the vehicles stored there. Mr. Silverthorn added that in winter, sometimes the floor is wet for days, “causing havoc on the equipment.” Mr. Matheny added that because of the change over in CFOs, the work has not been pursued; he added that Mr. Silverthorn has all the information to proceed on this and the backhoe.

Mayor Sageser mentioned the problem with the Linvale Road property with water, suggesting that maybe some things could be shifted in the budget. He also suggested that perhaps the Engineer could be present at the meeting on the 30<sup>th</sup>, if necessary.

Mr. Mathews asked about inviting other members to the meeting on June 30, adding that the Senior Citizens were represented at a previous meeting and there may be other people who want to have input into the budget. It was noted that if the budget is introduced, it would be difficult to change it. Mr. Hart noted that the Township might want to change a line item by 10%, not the whole budget by 10%, without re-advertising.

INTRODUCTION OF THE 2014 BUDGET

Resolution for Conducting Annual Budget Examination

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**RESOLUTION #78-14**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of East Amwell has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2014 budget year.

BE IT RESOLVED by the Mayor and Township Committee of the Township of East Amwell that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial

Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

By Order of the Township Committee,

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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.

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**RESOLUTION #79-14**

(As attached to the Original Set of Minutes)

By Order of the Township Committee,

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Dart Sageser, Mayor

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Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Miller, and carried unanimously by roll call vote: Mr. Van Horn, yes; Mr. Wang-Iverson, yes; Mr. Mathews, yes; Mr. Miller, yes; Mr. Sageser, yes.

## PROPERTY MAINTENANCE (See October 2013 Minutes for Background)

Mayor Sageser commented on previous discussions about a property maintenance code, which grew out of a weed control problem on a foreclosed property. He commented on two public meetings about the village with a common theme of taking action on vacant or abandoned structures. Mayor Sageser said that he updated his previous version of the draft ordinance, which was previously distributed.

Mr. Cushing commented on an international property maintenance code. He also noted that properties could not be treated differently, whether the owner was present or not. He suggested that the Township look at the international property maintenance code as an option, stating that these codes “are unpleasant, ... and property owners do not want intrusion by government on private properties, and a standard code might be more receptive than something that was created locally.” Mayor Sageser stated that his version was consolidated from ordinances in other municipalities in Hunterdon County, obtained by the Clerk. Mr. Cushing again suggested checking with the BOCA code for property maintenance information, which the Mayor agreed might be an option to review. Mr. Cushing thought that such a code might be more defensible.

Deputy Mayor Wang-Iverson thought that the plan was to wait and bundle the ordinance with the report on the village with input from Planner Joanna Slagle. Mayor Sageser spoke about having an ordinance with specifics for all areas, e.g., farm buildings, residences, etc. Mr. Cushing explained that there would be different situations for properties with a quarter of an acre v. 25 acres or a deteriorated house in town v. a farmhouse on 50 acres, so there may be different standards. Mayor Sageser mentioned that safety and health issues may be different too.

Mr. Mathews asked about an ordinance being retroactive, mentioning a burned out building on Route 31 from a few years ago. Mr. Cushing mentioned police power or land ordinance enforcement, including safety and well-being issues. Mayor Sageser mentioned his experience in other towns when a building inspector would enforce a code. Mr. Van Horn also spoke about abandoned personal property, such as a house abandoned for over three months that was left in “not great shape” – he felt that this was a problem for the future.

Mayor Sageser mentioned noxious weeds and abandoned equipment with different implications and also hazards to health and safety. He also mentioned specific properties (such as Peacocks and a burned out property on Route 31, and an abandoned foundation in Ringoes), interest from the village survey, and some foreclosures in the township – he believed that the Township would benefit from addressing these issues.

Mr. Mathews referred to the revised property maintenance ordinance, specifically sections 4.1 and 4.2 on nuisances and hazards, adding that the Kanach problem pertained to specific weeds for which there is a state statute. He asked about adding it to the ordinance and referencing the state statute in section 4.3. He also mentioned that pools and spas are different than “a big hole in the ground.”

Further comments were exchanged, with Mr. Mathews stating that in section 2.2, “wrecked or derelict” may be subjective. He also asked about a lien or fine that could be imposed if the Township decided to make the improvements and be reimbursed. Mr. Cushing also mentioned accessing private property. He further spoke about hazards found under the construction code, saying that action could be taken by the Township and a judgment could be obtained for payment. Mr. Cushing spoke about obtaining an ordinance from another township, which allows the building official to provide notice to the property owner, a hearing is held, and the Township fronts the money to do the work if it is neglected; the Township may put a lien on the property by the Tax Collector. While anyone can be designated to enforce, Mr. Cushing recommended a construction official, adding that the official has statutory authority with the UCC. Mr. Cushing will get an ordinance for the municipality to review.

Mr. Mathews mentioned the complaints from Mr. Kanach regarding the Canadian Thistle, stating that while the grass was eventually cut, the damage may have already been done. Mr. Cushing felt that uncut grass is more of a maintenance issue that could go to municipal court, noting that East Amwell is a rural community and the hay/thistle may be an enforceable item. He said that in the drafted ordinance, the Township might want to list the weeds in question.

Mr. Cushing commented on having a lot of ideas with a lot of separate areas. He suggested concentrating on what it is that the Township wants to enforce. He suggested looking at the international building code as a first step regarding the physical structure of buildings; he suggested getting guidance on the noxious weeds from CADB as one possibility; he recommended the Township think about what and where they wanted to regulate regarding grass height.

Deputy Mayor Wang-Iverson thought that it would be useful to wait until the village study was complete to use better strategy and get an incentive based approach.

Mr. Miller talked about a fourth category (enumerating on Mr. Cushing's three points above), i.e., burned out buildings, not just vacated, abandoned, or deteriorated buildings. He asked if they would fall under the same realm of enforcement; he was concerned about the safety and welfare of the residents, stating that this was a different avenue to pursue than deteriorating buildings in the village area.

Mr. Cushing thought that the UCC analysis would be a first step, i.e., is the building safe from a construction standpoint. He said that construction officials deal with black and white issues, i.e., is there a violation or not. The next step would be property maintenance, and he believed that the construction official would be the logical person to deal with this. Mayor Sageser agreed that all construction officials are certified through the state and follow the same code. Mr. Cushing added that townships do adopt the property maintenance codes and insert different views, adding that East Amwell was a rural community, which was something to consider. Mayor Sageser spoke about protection around sites; Mr. Cushing said that in some cases, all that is necessary is a fence without consideration to appearance – this may be an issue to consider.

Mayor Sageser agreed that looking into alternatives would be helpful, and this item will be added to the next agenda for continued discussion.

#### EAST AMWELL TOWNSHIP SCHOOL CONSTRUCTION PERMITS FROM RARITAN TOWNSHIP

Chuck Miles, East Amwell Township School Board President, was present for this discussion.

Mr. Mathews said that he was approached by the School about issues with getting construction permits from Raritan Township. He discussed with Superintendent Stoloski the lack of movement on the part of Raritan Township. Mr. Mathews contacted the construction office at Raritan and received no call back. He then spoke with the Township Administrator; he was told that the Construction Office had the permits for two weeks and were working on them. When he relayed the information to school officials and architects, they refuted that information, and they provided a time line via email. Mr. Mathews felt that Raritan Township was behind in the 20 day commitment for review, and he was concerned about the quality of service the East Amwell residents are receiving. On a practical matter, he was also concerned with school safety issues with a fence being installed near a school egress. He asked Mr. Matheny to look into the agreement with Raritan Township.

Mr. Miles provided some additional details, saying that Raritan was asking why they hadn't applied for permits earlier. He explained the need to go out for bid three times because of bids coming in too high. He mentioned putting up the fencing while the children were in school and doing work while children are away. Mr. Miles gave his perceptions of dealing with Raritan Township and trying to keep the process going; he commented that construction is out two months at the present time.

Mayor Sageser said that he would make a courtesy call, adding that the chronology showed that the work was not deemed complete and the Construction Department will not review until paperwork is "squared away." Mr. Miles spoke about the possibility of fast tracking a permit if the Township wanted to do so, detailing the work needed for the project. He also mentioned trying to get the project started while the children were not present in the building; fencing at the school, a busing change, and a guard in front of the school were also mentioned. Mayor Sageser commented on processing applications for fees in other areas he has worked in.

Mr. Mathews said that he spoke with Raritan Construction Officials two weeks ago and was told that they were behind two weeks because they were understaffed. He spoke about hiring an organization that is not doing a good job for East Amwell; he didn't know if it was just for the school or all the residents who are not taking a priority. Further comments were exchanged by the Mayor and Mr. Miles about the time frame. Mr. Matheny shared an email with the principal and Mr. Miles, adding that Raritan seems to be waiting for every piece of paper before the "clock starts ticking," adding that it has been a few weeks in process. Mr. Miles highlighted some of the preparatory work already completed before construction, asking for any help that can be given.

Mr. Cushing suggested that Mayor Sageser contact the Mayor of Raritan and talk about the project at the school person-to-person. Mr. Miles thanked the Committee for their assistance.

CONSENT AGENDA ITEMS

The Clerk said that item A, Personnel Policies, will be held until the next meeting since Mr. Cushing had not yet provided the updates about the family leave act.

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**RESOLUTION #80-14**

WHEREAS, Stan and Theresa Novak applied for the renewal of the Plenary Retail Consumption License -number 1008-32-001-006 with "Broad Package Privilege" for said premises, The Harvest Moon Inn, and

WHEREAS, the application has been submitted in proper order, the appropriate fees submitted and no written complaints have been filed with the Municipal Clerk objecting to the renewal of this license, and

WHEREAS, the Township Committee finds that the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey statutes and regulations promulgated thereunder, as well as municipal ordinances and conditions consistent with Title 33,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of East Amwell, County of Hunterdon, State of New Jersey, that the renewal of the Plenary Retail License for Brennex, Inc. under the name of The Harvest Moon Inn be approved and is hereby granted, subject to the following conditions:

a) It shall be noted on the license that "This license bears the 'Broad Package Privilege" pursuant to P.L. 1948, Chapter 98 (N.J.S.A. 33:1-12.23) and N.J.A.C. 13:2.35.1 et. se. (formerly state regulations No. 32)."

b) This renewal shall be effective July 1, 2014, and the Municipal Clerk is hereby authorized to sign and seal said license certificate on June 30, 2014, and deliver the same to the Harvest Moon Inn on that date.

By Order of the Township Committee,

Dart Sageser, Mayor

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**RESOLUTION #81-14**

WHEREAS, the Amwell Valley Fire Company, 22 John Ringo Road, Ringoes, NJ 08551 has applied for the renewal of their Club License #1008-31-002-001; and

WHEREAS, the application has been submitted in proper order, the appropriate fees submitted and no written complaints have been filed with the Municipal Clerk objecting to the renewal of this license, and

WHEREAS, the Township Committee finds that the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey statutes and regulations promulgated thereunder, as well as municipal ordinances and conditions consistent with Title 33,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of East Amwell, County of Hunterdon, State of New Jersey, that the renewal of the Club License for the Amwell Valley Fire Company be approved; and

BE IT FINALLY RESOLVED that this renewal shall be effective on July 1, 2014, and the Municipal Clerk is hereby authorized to sign and seal said license certificate on June 30, 2014, and deliver the same to the Amwell Valley Fire Company on that date.

By Order of the Township Committee,

Dart Sageser, Mayor

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**RESOLUTION #82 – 14**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby support the fund-raising efforts of Flemington-Raritan First Aid & Rescue Squad, 26 Route 12, Flemington, NJ 08822

WHEREAS, the organization has made application to hold an off premises 50/50 raffle on June 21, 2014, at 8:00 p.m. at the South County Fairgrounds in Ringoes, NJ ;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of East Amwell, that raffle license number #RL-14-02 be approved and processed.

By Order of the Township Committee,

\_\_\_\_\_  
Dart Sageser, Mayor

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**RESOLUTION #83 – 14**

WHEREAS, South County Park, property belonging to the County of Hunterdon, is located in the Township of East Amwell, and

WHEREAS, South County Park is now the location of the annual Hunterdon County 4H Agricultural Fair, and amusement games play an important part in the entertainment at the Fair;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of East Amwell approves the following amusement game application, which conform to local ordinances:

Applications AG #14-01; AG #14-02; AG#14-03:

Judith Wotasek, 207 Byram Kingwood Road, Stockton, NJ 08559  
Hunterdon County 4H Fair/South County Park/ 1207 Route 179,  
Lambertville, NJ 08530  
August 20-24, 2014 from 10 a.m. – 10:00 p.m.  
Fish Pond; Ball Toss, Dart

By Order of the Township Committee,

\_\_\_\_\_  
Dart Sageser, Mayor

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

**PUBLIC HEARINGS/INTRODUCTION OF ORDINANCES**

**Public Hearings:**

ORDINANCE 14-02: AN ORDINANCE FOR COMPENSATORY TIME CONSISTENT WITH THE EAST AMWELL BENEFITS RESOLUTION

As proof of publication, the legal notice from the Hunterdon County Democrat, issue of May 15, 2014, was shown. The ordinance has been posted and available to the public since introduction on May 8, 2014.

The meeting was open to the public for comments on the ordinance to allow compensatory time for the Municipal Clerk and the Court Administrator. There being no comments, motion by Deputy Mayor Wang-Iverson, seconded by Mr. Van Horn, an it was carried unanimously to close to the public.

Ordinance 14-02 was approved on a motion by Deputy Mayor Wang-Iverson, seconded by Mr. Van Horn, and carried unanimously by roll call vote: Mr. Van Horn, yes; Mr. Wang-Iverson, yes; Mr. Mathews, yes; Mr. Miller, yes; Mr. Sageser, yes.

**Introduction of Ordinances**

ORDINANCE 14-03 ORDINANCE TO AUTHORIZE THE ACCEPTANCE OF LAND DONATION OF BLOCK 35, LOT 58

Continued Discussion on Cost for Phase I Environmental Assessment: There was an email from Attorney St. Angelo with a new draft agreement for purchase with a proposed cost estimate of \$2,500 for the Phase I assessment, rather than the \$1,000 approved by the governing body in January 2014. Mrs. Robbi added that a price was obtained from Boucher and James in the discount amount of \$1,650, which was \$650 more than previously approved by the governing body. The funding will come from the open space trust fund.

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**RESOLUTION #84 - 14**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby authorize a phase I investigation on Block 35, Lot 58, to be performed by Boucher and James, 2738 Rimrock Drive, Stroudsburg, PA 18360, in the amount of \$1,650 (increased from the previously authorized amount of \$1,000 in January 2014) for services rendered.

By Order of the Township Committee,

\_\_\_\_\_  
Dart Sageser, Mayor

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

Some discussions took place on what would occur if “something was found.” Mr. Ginman said that the deal would be off. Mr. Mathews asked if further testing would be considered; Mrs. Robbi did not anticipate finding anything. Further comments were exchanged by the Township Committee, and Mr. Cushing said that standard caveats would apply, including the fact that if the Township authorizes a Phase I, buys the land with something that the Phase I misses, the seller still has some liability as a statutory obligation.

The motion to approve the Phase I was approved by roll call vote: Mr. Van Horn, yes; Mr. Wang-Iverson, yes; Mr. Mathews, yes; Mr. Miller, yes; Mr. Sageser, yes.

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ORDINANCE #14-03  
ORDINANCE AUTHORIZING THE ACCEPTANCE OF  
LAND DONATION OF BLOCK 35, LOT 58

WHEREAS, Catherine H. Hepburn, owner of certain property located in the Township of East Amwell (the "Township") and designated as Block 35, Lot 58 on the Tax Map of the Township of East Amwell (the "Property"); and

WHEREAS, Catherine H. Hepburn has offered to donate said Property to the Township; and

WHEREAS, the Township has, after consultation with its legal and engineering professionals, determined that it is in the public interest to accept the donation of Catherine H. Hepburn; and

WHEREAS, the Township desires to accept the donation of the Property subject to due diligence regarding environmental or any other issues that may affect the Township's acceptance and ownership of the Property; and

WHEREAS, N.J.S.A. 40a:12-1, *et seq.*, the Local Lands and Buildings Law, authorizes municipalities to acquire real property by gift pursuant to a duly adopted ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of East Amwell, the County of Hunterdon, as follows:

SECTION 1. The Township is hereby authorized to accept the land donation of Block 35, Lot 158 from Catherin H. Hepburn contingent upon the Township and/or its professionals conducting due diligence regarding environmental or any other issues that may affect the Township's acceptance and ownership of the Property and receiving adequate assurance that the Property is free of environmental or other deleterious substances.

SECTION 2. The Mayor and Clerk are hereby authorized to take all action necessary to effectuate the acquisition of the Property, including securing quotes from such professionals as are necessary to make environmental evaluations of the Property.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. This Ordinance shall take effect upon final passage and publication according to law.

By Order of the Township Committee,

\_\_\_\_\_  
Dart Sageser, Mayor

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

Introduced: June 12, 2014  
Adopted:

++++  
Motion by Mr. Van Horn and seconded by Deputy Mayor Wang-Iverson to introduce the ordinance.

Mr. Mathews asked about completing the Phase I before introducing the ordinance; Mr. Cushing spoke about saving the cost of publication by not introducing tonight. He also noted language in the ordinance about authorizing the purchase but not mandating it without due diligence and assurances that it is free of “environmental or other deleterious substances.”

Mrs. Robbi noted that this is an estate situation with the executor waiting for some action. It is a donation to the Township and she believed that “the sooner, the better.”

The motion to introduce the ordinance was approved unanimously. The ordinance will be published in the June 19, 2014, issue of the Hunterdon County Democrat, and the public hearing will take place at the regular meeting of the Township Committee on July 10, 2014, at 7:30 p.m.

ORDINANCE 14-04 AN ORDINANCE AMENDING CHAPTER 135 OF THE CODE OF THE TOWNSHIP OF EAST AMWELL AND GRANTING JURISDICTION TO ENFORCE TITLE 39 OF THE NEW JERSEY STATUTES TO THE TOWNSHIP OF EAST AMWELL OVER ROADS AND PARKING LOTS LOCATED AT BLOCK 15.01, LOT 2

Committee members recognized that this ordinance allowed for traffic enforcement on the parking area at the Hess Station, as part of the Planning Board approval.

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TOWNSHIP OF EAST AMWELL  
ORDINANCE #14-04

AN ORDINANCE AMENDING CHAPTER 135 OF THE CODE OF THE TOWNSHIP OF EAST AMWELL AND GRANTING JURISDICTION TO ENFORCE TITLE 39 OF THE NEW JERSEY STATUTES TO THE TOWNSHIP OF EAST AMWELL OVER ROADS AND PARKING LOTS LOCATED AT BLOCK 15.01, LOT 2

WHEREAS, the East Amwell Township Planning Board granted approval for the renovations of an existing gasoline service station located at Block 15.01, Lot 2 (the “Property”); and

WHEREAS, as a condition of said approval, the Planning Board required that the Township be permitted to enforce Title 39 of the New Jersey Statutes (Motor Vehicle and Traffic Regulation) within the boundaries of the Property; and

WHEREAS, Hess Corporation will sign a Developer’s Agreement consenting to the application of the provisions of Title 39 of the New Jersey Statutes to the Property and granting permission to the East Amwell Township Police Department to enforce such Title 39 of the New Jersey Statutes within the boundaries of the Property; and

WHEREAS, the Mayor and Committee of the Township of East Amwell find that it is in the best interest of the Township of East Amwell to have the provisions of Title 39 made applicable to the semi-public roads, streets, driveways and parking lots located on the Property; and

WHEREAS, the Township Engineer has reviewed the request and finds that it is in compliance with the requirements under New Jersey law and has approved of the regulations contained in this Resolution made applicable to the Property; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Committee of the Township of East Amwell that Chapter 135 of the Code of the Township of East Amwell (“Code”) entitled “Vehicles and Traffic” is hereby amended as follows:

SECTION 1.

A. The provisions of Subtitle 1, Title 39, of the revised Statutes of New Jersey are made applicable to the semi-public roads, streets, driveways and parking lots at the property located at Block 15.01, Lot 2 on the Tax map of the Township of East Amwell

B. A penalty for a violation of any Title 39 provision, or any East Amwell Township Ordinance, shall be in accordance with the penalty(s) set forth in Title 39, or the East Amwell Township Code, and shall be administered in the same manner as if the violation occurred on a public road or parking lot under the municipality’s jurisdiction.

C. This Ordinance will be enforced on all of the roads and parking areas as shown on the plan entitled “Amended Preliminary and Final Site Plans for a Proposed Hess Gasoline Service Station with C-Store,” prepared June 6, 2013. Such plans are located in the East Amwell Township Planning Office.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This Ordinance shall take effect upon final passage and publication according to law.

By Order of the Township Committee,

\_\_\_\_\_  
Dart Sageser, Mayor

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

Introduced: June 12, 2014

Adopted:

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Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Van Horn, and carried unanimously to introduce the ordinance that will allow Title 39 Traffic Enforcement on the Hess property, as part of their Planning Board approval. The ordinance will be published in the June 19, 2014, issue of the Hunterdon County Democrat, and the public hearing will take place at the regular meeting of the Township Committee on July 10, 2014, at 7:30 p.m.

RELEASE OF TOWNSHIP ATTORNEY – The governing body agreed that there would be no executive session this evening, and the attorney was released from the meeting at 9:50 p.m. Mr. Cushing commented that a property that has recently been discussed in executive session is moving along with all approved documents in place and waiting for the property owner’s acceptance. A call to the property owner’s attorney has not been returned.

**STANDING COMMITTEE REPORTS**

**APPOINTMENTS TO 2014 COMMITTEES, CONTINUED:**

The Environmental Commission recommended Erica Johanson as the 2014 Chair of the Commission, which was vacated by Sean Grace. Motion by Mr. Van Horn, seconded Mr. Miller, and carried unanimously to appoint Erica Johanson as 2014 Chair.

Additionally, it was determined that there was a vacancy of a regular member on the Historic Preservation Committee, so the alternates will move up, i.e., Will Harrison will become a regular member and Suzanne Koeniger will become Alternate I. Motion by Mr. Van Horn, seconded by Deputy Mayor Wang-Iverson, and carried unanimously to approve these appointments.

FARMLAND/OPEN SPACE PRESERVATION COMMITTEE

Chair Glorianne Robbi and Vice-Chair Dick Ginman were present for this discussion, along with Administrator Scott Bauman. Handouts were provided to the governing body members.

1) East Jersey Developers, Block 35/Lot 18.01: Township Application for Hunterdon County Cooperative Grant: Reference was made to a sheet entitled Current Project Funding Breakdown, showing the Plimpton, Ridge Road, and East Jersey Developers properties, using Green Acres funding and Hunterdon County funding. In the color red was the amount that FOSPC was asking for from the County and the State. Mrs. Robbi explained that they were asking for approval to prepare a grand application to submit to the County Open Space Acquisition program for funding to purchase the East Jersey Developers parcel, and she also referenced calculations at the bottom of the page showing reimbursements of 50% of the cost.

There is currently a balance of \$103,979 in Green Acres, and FOSPC is asking for \$256,371.00 for the projects. They are also trying to shift technical costs into the funding amount. FOSPC was asking for approval to apply for the Green Acre funding. Mr. Ginman added that Green Acres has money and is looking for real projects. FOSPC has identified a project located in a priority area, and he believed that there was a good chance that the funding would be obtained. He felt that "it's a good opportunity and ... we will be successful with the County."

Mrs. Robbi added that there would be using 30% of the County Cooperative Open Space grant funding of 30% to the Township and 20% to D&R would serve as the match to Green Acres funding of 50%.

Mr. Mathews asked about the New Jersey Developers property. He was told that it is in the Cattail Brook area, offering a nice access to that area and also a parking area. The attorney for the property owners is anxious to proceed, and an abandoned cell tower on the site will be removed before closing as the owner's responsibility.

FOSPC representatives explained that they were requesting approval to proceed with the Green Acres application and the Hunterdon County Cooperative application, which Mr. Bauman was working on.

+++++  
**RESOLUTION # 85 -14**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they support the efforts of the Farmland/Open Space Preservation Committee and authorize the applications of funding from Green Acres and also the Hunterdon County Cooperative for the East Jersey Developers property, Block 35, Lot 18.01.

By Order of the Township Committee,

\_\_\_\_\_  
Dart Sageser, Mayor

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

2) Hay Parcel, Block 21/Lot 16.03: Recommendation to the Township Committee to Cover Soft Costs for Acquisition: Mrs. Robbi explained that the Township previously agreed to provide 20% share of the cost for development credits in the amount of \$72,240 with a state certified value of \$15,500 per acre at 24 acres. The County will cover 20% of the costs also, and the State will cover the additional 60%. There are some soft costs in the amount of \$4,000

involved for the closing, which will take place this year. The property is next to other property Ms. Hay preserved to the north and contiguous to many other preserved parcels, taking the preservation out to Wertsville Road.

+++++  
**RESOLUTION #86-14**

BE IT RESOLVED by the Township committee of the Township of East Amwell that they hereby authorize funding in the amount of \$4,000 for closing costs for the Hay property, Block 21, Lot. 16.03, taken from the Open Space Trust Fund.

By Order of the Township Committee,

\_\_\_\_\_  
Dart Sageser, Mayor

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

3) Pilipshen, Block 40, Lot 17.01: Mrs. Robbi explained that Mr. Pilipshen moved and sold his house on Snyderstown Road. There were four acres of woodland adjoining the property, which FOSPC was not interested in purchasing. D & R Greenway was then approached, and they suggested that the owner contact Green Acres directly. Green Acres is interested in the property and asked the Township for input. Motion by Mr. Van Horn, seconded by Deputy Mayor Wang Iverson, and carried unanimously to support the acquisition of this property by NJ Green Acres.

4) Ridge Road Assemblage, Various Lots in Block 34: FOSPC members explained that a request is being made for an additional \$1,000 of Green Acre funding towards appraisal costs for the Helm lot in this package. The Township has previously endorsed the application, and County and Green Acres funds are being utilized in the preservation in the combined amount of \$300,000.

+++++  
**RESOLUTION #87-14**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby authorize the use of Green Acres funds in the amount of \$1,000 towards appraisal costs for the Helm property, Block 34, Lot 18.

By Order of the Township Committee,

\_\_\_\_\_  
Dart Sageser, Mayor

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

5) 2014 Farmland and Open Space Annual Report: A draft copy of the report was provided to the governing body for their review. Mr. Mathews recommended adding the word “partially” on the first line of the fourth bullet, i.e., the program is “partially” funded through the Open Space Trust fund.

Mayor Sageser thanked FOSPC members for all their efforts in preservation.

**BOARD OF HEALTH**

Mobile Food Vendors – Two Additional Locations Proposed at Old York Cellars and Unionville Vineyards: Deputy Mayor Wang-Iverson explained that the mobile vendors are approved for the fire house and the fairgrounds; the inclusion of the two new locations would allow the vendors to

sell without the need to obtain individual food licenses each time they are present. The governing body had no comments to make.

**UNFINISHED BUSINESS**

TOWNSHIP ADMINISTRATOR’S UPDATE:

1) Resolution to Allow the QPA to go out for Bid on Clawson House Rehabilitation: Mr. Matheny spoke about the bid specifications prepared by the architect for the work at the historic house, which were reviewed by the attorney – he mentioned \$66,000 in grant funding for some of the work. Mr. Mathews asked how much money was left after bids were prepared and reviewed; Mayor Sageser said that the professionals were paid from the Open Space Trust Fund. He added that two grants were received for securing and water proofing the property and for exterior work and windows. Some comments were exchanged about the amount of work on the house, grant money received, the state’s involvement in the grant approval process, and costs involved. Mr. Matheny also noted that there was a “lot of back and forth” with the architect and attorney because of the State Historic Preservation Office and County requirements for the structure.

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**RESOLUTION # 88-14**

WHEREAS, East Amwell Township supports the rehabilitation of the historic house at the Marion F. Clawson park, with the acquisition of grants obtained through Hunterdon County;

WHEREAS, bid specifications have been prepared by architect Chris Pickell and vetted by the East Amwell Township attorney;

NOW HEREBY BE IT RESOLVED that the Township Committee of the Township of East Amwell does hereby authorize the qualified purchasing agent, Timothy L. Matheny, to go out for bid for the Clawson Park Rehabilitation Project.

By Order of the Township Committee,

\_\_\_\_\_  
Dart Sageser, Mayor

+++++

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

2) Purchase of Computers for Staff, Consideration of Purchase of Computers for Township Committee Members, and Alternatives to Dropbox for Cloud-based Storage: Mr. Matheny said that six refurbished, “top of the line” computers were being purchased (up-grading from XP to Windows 7 Pro), and a new switch for the internet was being installed by a local vendor, Mark Gould. The switch is an industrial unit obtained at a reduced cost (down from \$3,000 to \$500 since it was previously used for a short time) – it will allow for much faster internet service. Mr. Matheny commented on the intent to replace twelve computers in total, as money becomes available.

Mr. Mathews spoke about a policy at his company that does not allow Dropbox on company computers for security reasons. He then questioned whether he wanted the program on any of his personal computers. His suggestion was the purchase of single purpose devices, not necessarily iPads, so that governing body members could access the internet. The devices would be Township property and be passed along to subsequent members of the Township Committee. He commented on programs like Dropbox or Google Hangouts all having probable security risks.

Mr. Van Horn commented on any kind of risk on the internet, including links to Amazon, for example. He said that while not disagreeing, reading the documents on line was helpful and worth taking the personal risk. Mr. Mathews said that he had previously had issues with

accessing files in Dropbox but was able to do so today. He commented on using Dropbox with a risk to his devices, and he felt that it was prudent to look at other options.

Further discussion took place with several options mentioned, including setting up a server at the municipality where files could be shared. Mr. Matheny did look at Google Hangouts, but he felt that this was more of a social media application. Mr. Mathews spoke about case law on employees who bring their own devices to work and infecting work computers and improving poor work practices. Mr. Miller suggested checking with the webmaster to see if they could purchase storage, which could be partitioned and set up a server, i.e., information would be sent to him for posting for governing body access. Mr. Matheny will speak with both Mark Gould and the webmaster about options.

Mr. Matheny explained the recent problem with the email server being down on Monday with the migration from Micro Excel for archiving and Postini to a new, more economical system. Micro Excel had notified the Township that Postini would no longer be supported, and when the switch was made to the new company, the first company shut down the email system due to a contract dispute. Mark Gould was able to reposition the IP address so the system was back in operation, and eventually, Micro Excel billing inquiries were settled.

3) Tax Bill Inserts: There will be numerous inserts in the tax bills, including the farmland map, stormwater management information, and information from the Recycling Committee and the Environmental Commission. Some discussion took place about the requirements of the new Community Wildfire Protection Plan with a suggestion to post information about protections during tax periods; previously the Township Committee recommended mailing something to residents with tax bills. The Clerk advised that this may mean additional postage for the mailings. Mr. Mathews stated that there was some grant funding through the program, and a recommendation was made to include the sheet, recommended by the State Forest Fire Official, in the tax bill mailing and use part of the grant funding to pay for the additional postage.

4) FEMA Hazardous Mitigation Grant: Mr. Matheny commented on submitting the on-line application for the grant for the municipal building generator. He explained that the process was a long one with specific deadlines and questions from the state.

**BOND COUNSEL REQUEST FOR PROPOSALS**

Mr. Matheny explained that there were two proposals received, from current counsel McManimon, Scotland, and Baumann and one from Hawkins, Delafield & Wood. He prepared an in-depth spread sheet, showing comparisons.

Deputy Mayor Wang-Iverson expressed his comfort with the current counsel, including work with the reissuance of 2003 bonds, adding that the firm had a historical relationship. Mr. Mathews said that there was no requirement to stick with one bond counsel, suggesting the possibility of appointing both groups as an option. Mayor Sageser commented on never hiring two professionals for the same purpose in the past.

Mr. Matheny stated that a decision had to be made within 60 days of the RFP date, which was on April 24. Comments were exchanged by the governing body members, with the following highlights: the blended and singular rates of the professionals were discussed with comments; the comparison of items were discussed; Mr. Mathews suggested changing professionals, mentioning that the second group has a higher tier and volume, and “this is a place to try a change”; further comments were made about the differences in some of their line items and the fact that both are excellent firms with the second firm having slightly lower costs in some line items and the attorney stating that he would personally draft all bond and notes; a question of whether both the 2003 and 2010 bonds were refunded was raised, among other items.

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**RESOLUTION #89-14**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby authorize the 2014 Bond Counsel Contract to the following:

Robert Beinfield  
Hawkins, Delafield & Wood, LLP  
One Gateway Center  
Newark, NJ 07102  
As outlined in their proposal dated April 24, 2014

By Order of the Township Committee,

\_\_\_\_\_  
Dart Sageser, Mayor

++++  
Motion by Mr. Mathews, seconded by Mr. Miller, and carried by roll call vote: Mr. Van Horn, yes; Mr. Wang-Iverson, no; Mr. Mathews, yes; Mr. Miller, yes; Mr. Sageser, yes.

**NEW BUSINESS**

**DEVELOPERS AGREEMENT FOR HESS, BLOCK 15.01/LOT 2 – Request from Township Committee for Comments on the Agreement**

The Clerk explained that in the past, the developer’s agreement was worked out by the attorney and developer, then brought forward for Township Committee approval with posting of bonds and cash. However, Attorney St. Angelo wanted comments on the draft agreement prior to approving. The Committee agreed to provide any comments on the draft agreement to the Clerk before June 30, which she will relay to the attorney. The agreement will be on the July 10 agenda for approval.

**OPEN TO THE PUBLIC**

Frances Gavigan, 123 Wertsville Road, commented on the following: she looked on line about state regulations for bond counsel, stating that they are hired on competitive basis and the site shows a list of firms and rankings. She spoke about upgrades to Dropbox with a two step verification process, with text code and another level of encryption, i.e., SSL and 256 bit encryption. She asked that the West Amwell police position themselves on Wertsville Road, near Losey Road, to ticket speeders. She spoke about a “yellow motorcycle now in pieces on Barley Sheaf Road” because of speeding, commenting on police presence which should be logged with enforcement information and statistics so that she can approach Hunterdon County about reducing speed in hamlets and in Unionville.

Mayor Sageser asked about getting reports from West Amwell on their police presence in the Township, showing locations, times, numbers of summons, etc. Ms. Gavigan asked to know specifically where the police were present, commenting on “too many motorcycles on her road on Sundays.”

Mayor Sageser commented on the agreement to pay West Amwell Township \$15,000 for the police contract, asking for projected fees for the year; Mr. Matheny said that they cannot include this in the budget this year.

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

**ADMINISTRATIVE REPORTS**

**CFO’S OFFICE:**

The Clerk said that prior to the start of the meeting, FOSPC representatives asked that the bill for \$562.50 for Heritage Consulting be pulled from the agenda since the work was not done. The new amount on the bill list was \$914,856.32. Motion by Mr. Van Horn, seconded by Deputy Mayor Wang-Iverson, and carried unanimously to approve the bills of the evening.

There were no resolution submitted by the CFO.

TAX COLLECTOR HYLAND presented her May 2014 report but no resolutions.

COURT ADMINISTRATOR HOOVEN presented the May 2014 court report.

DPW SUPERINTENDENT SILVERTHORN presented the May 2014 Road Report. Mr. Mathews asked about cutting the firehouse field on two dates; Mr. Matheny explained that historically, the DPW has maintained the area. Some discussion took place on whether it was inside or outside the fenced area.

The State Police report was also acknowledged.

**CORRESPONDENCE**

Correspondence was noted without comments.

**ADJOURNMENT**

There being no further business, motion by Mr. Van Horn, seconded by Deputy Mayor Wang-Iverson, and carried unanimously to adjourn the meeting at 11:05 p.m.

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Teresa R. Stahl, RMC/CMC  
Municipal Clerk