

The regular meeting of the East Amwell Township Committee was called to order at 7:31 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 July 8, 2014.

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

AGENDA REVIEW

There will be a short executive session during the regular meeting, immediately after public hearings on the ordinances and the budget.

Under the Administrator's Report, table the resolution for purchase of a backhoe until the next meeting. Add an item, 7/9 Email from OEM Coordinator Myers re: Withdrawal of Generator Funding from the State.

The DPW Report was just distributed today and a hard copy is in the governing body's folders and will be posted on-line.

Under Correspondence, add June Hunterdon County Open Dairy Show Announcement.

ANNOUNCEMENTS

Summer Playground is taking place at East Amwell Township School from June 30th to July 25th. Contact the Clerk's Office for information. Mr. Matheny took pictures of participants today, and they were available in Dropbox for the Governing Body.

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 for further information.

APPROVAL OF MINUTES

June 12, 2014, Regular Meeting Minutes were approved on a motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried unanimously with the following corrections: on page 2, paragraph 3, line 11, change "could not relate to" to "did not perceive"; on page 17, under East Jersey Developers, first paragraph, change last sentence to read, "Mrs. Robbi explained that they were asking for approval to prepare a grant application to submit to the County Open Space Acquisition Program for funding to purchase the East Jersey Developers parcel, ... (and continue remainder of the sentence after "and"; third paragraph under East Jersey Developers, change full paragraph to read, "Mrs. Robbi added that 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%"; on page 19, second to last paragraph, line 3, change "purchase" to "purpose."

June 30, 2014, Special Meeting Minutes (Budget) were approved on a motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried with one correction on page 5, paragraph 4, line 2, change "acquiring" to "developing."

June 30, 2014, Executive Meeting Minutes (Potential Litigation/The Ridge at Back Brook Tax Appeal) were approved on a motion by Mr. Van Horn, seconded by Deputy Mayor Wang-Iverson, and carried unanimously.

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

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

There being no comments, motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously to close to the public.

SPECIAL DISCUSSION**PROPERTY MAINTENANCE CODE** (See June 2014 Minutes for Background)

Attorney Cushing had provided a copy of the International Property Maintenance Code, with Mayor Sageser stating that it was “way beyond what we need.” The Township’s intent is to address unsafe, detrimental conditions.

Mr. Cushing said that other municipalities share the same problem, with some conditions rising from the recession and foreclosure, and properties are not being maintained to standards, thus deteriorating. Mr. Cushing continued by stating there would have to be standards to judge, and a code officer would objectively apply code standards, i. e. a quasi-independent officer, subject to DCA authority, who applies consistent standards. Mr. Cushing said that by sending the Construction Code Officer, he has the right to address issues, i.e., if there is a code violation, the property owner must address the problem from a construction standard, not necessarily an aesthetic one. If the owner refuses to respond to a safety and health issue, the governing body can use general funds to address the matter. Under the Uniform Construction Code (UCC), there is no automatic lien on a property; the Township would have to sue.

Mr. Cushing continued by stating that the Township could authorize a local ordinance to create a process that when a complaint is made about a property, an administrative officer, traditionally the Construction Office, notifies the property owner that they have X number of days to remediate, using the UCC standards and determining what needs to be done. If the owner refuses or the owner cannot be located, the municipality can do the work and have an automatic lien on the property. He further explained the tax certificate sale process and premiums, stating that an advantage of having an unfit building ordinance, the Township can collect liens (e.g., for spending \$5,000 – 8,000 to secure a property), thus creating tax certificates that are added to the tax roles. Mr. Cushing said that this type of ordinance is used in other municipalities, and he would be able to get one for East Amwell, if so desired.

Mr. Mathews asked what type of municipal action could be taken, e.g., knocking down a building. Mr. Cushing provided an example of a situation in Lebanon Township, near Spruce Run, where a building was leaning with a risk of falling onto Route 31. He further explained that if there is an imminent risk of life safety or health, the government has a right to protect the public, including tearing the property down. The matter must be determined as an “imminent risk” by the UCC official and is appealable to the County Board and Superior Court.

Mayor Sageser commented on such an ordinance not being applicable to aesthetic issues or toxic weeds. Mr. Mathews reminded the governing body of the original issue of Canadian Thistle on a site. Some comments were made about the status of the noxious weed complaint; it was sent to the Agricultural Advisory Committee for their perspective.

Mr. Cushing reminded the Township Committee that there was a limit with this type of ordinance since it deals with construction code issues, not aesthetics. Mayor Sageser suggested that the governing body look at such an ordinance to be provided by Mr. Cushing, and Mr. Mathews agreed it was worth reviewing, although only a few properties might fall into that category. Mr. Cushing concluded that such an ordinance would provide responsiveness on the part of the governing body, i.e., it will acknowledge the public’s complaint, turn it over to the Construction Official for determination, and there is an appealable process.

Mayor Sageser thanked Mr. Cushing for his assistance.

CONSENT AGENDA ITEMS

PERSONNEL POLICY ADOPTION (New Version as of 7-7-14) (See 5/8/14 Minutes for Background)

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RESOLUTION #90A -14

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby accept the Revised East Amwell Personnel Policies and Procedures, effective July 10, 2014, regarding Family and Medical Leave Act; Communication Media and Video Surveillance; Vehicles; and Worker’s Compensation.

By Order of the Township Committee,

Dart Sageser, Mayor

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HUNTERDON COUNTY COOPERATIVE GRANT RESOLUTION FOR EAST JERSEY DEVELOPERS, BLOCK 35, LOT 18 (Formal Resolution for Application Approved at June 2014 Township Committee Meeting)

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RESOLUTION # 91 -14

WHEREAS: The Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide County Funds in connection with preserving open space, natural areas, farmland and historic sites; to acquire, develop, improve and maintain county and municipal lands for recreation and conservation purposes; and preservation of historic structures, properties, facilities, sites, areas, or objects; or for the payment of debt service or indebtedness issued or incurred by the municipality for any of the purposes described above; and

WHEREAS, the Township of East Amwell desires to further the public interest by obtaining funding in the amount of \$45,000 from the County of Hunterdon to fund the following project: East Jersey Developers at a cost of \$150,000 (*project cost*);

NOW, THEREFORE, the governing body resolves that Mayor David A. Sageser (*name of authorized official*) is hereby authorized to:

- (a) make application for such County Open Space Trust Funds,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named Municipality; and

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

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

NOW, THEREFORE, BE IT FURTHER RESOLVED, BY THE East Amwell Township Committee

1. That the Mayor (*name of authorized official*) of the above named Municipality

is hereby authorized to execute any documents and agreements with the County of Hunterdon known as East Amwell Developers (*project name*);

2. That the Municipality has its share of funds, if required, in the amount of \$105,000 from other sources;

3. That, in the event the County of Hunterdon’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;

4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and

5. That this resolution shall take effect immediately.

By Order of the Township Committee,

Dart Sageser, Mayor

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RAFFLE #14-03 FOR ROBERT WOOD JOHNSON UNIVERSITY HOSPITAL FOR AN EVENT AT THE RIDGE AT BACK BROOK ON AUGUST 4, 2014

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RESOLUTION # 92- 14

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby support the fund-raising efforts of Robert Wood Johnson Hospital Foundation, Inc., 10 Plum Street, Suite 910, New Brunswick, NJ 08901;

WHEREAS, the Foundation has made application to hold an off premises raffle on August 4, 2014, at 7:00 P.M. at The Ridge at Back Brook, 211 Wertsville Road, Ringoes, NJ 08551;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of East Amwell that raffle license number #RL14-03 be approved and processed.

By Order of the Township Committee,

Dart Sageser, Mayor

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Motion by Deputy Mayor Wang Iverson, seconded by Mr. Van Horn.

Mr. Mathews asked about the policy manual changes; Mr. Cushing explained that it included standard language provided by the insurance company, which was edited in terms of the family leave act.

Mr. Mathews made recommendations under Communications and Media, paragraph 2, line four, add the word “legitimate” before Township business. The second recommendation was under the third paragraph, line one change the word “employees” to “staff.”

Deputy Mayor Wang-Iverson and Mr. Van Horn were agreeable with the amendments suggested.

The consent agenda items were approved unanimously.

PUBLIC HEARINGS/INTRODUCTION OF ORDINANCES**Public Hearings:**

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

As proof of public of publication, the notice from the June 19, 2014, Hunterdon County Democrat was shown. The ordinance has been posted and available to the public since introduction on June 12, 2014. The Clerk pointed out a small typo in the text of the ordinance, although the title was correct. Mr. Cushing agreed that the ordinance could be approved with that minor change.

Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Van Horn, and carried unanimously to open to the public for comments.

Frances Gavigan, 123 Wertsville Road, asked where the property was located and what would be done with it.

Mayor Sageser explained that it is not on a road, is in proximity to Cattail Brook, and is a wooded lot owned by a former lumberyard owner. Farmland/Open Space Coordinator Glorianne Robbi, in the audience, said that it abuts the Higgins property and other preserved land, and it does work into the Cattail Brook area and other conservation areas that D & R Greenways is working on. Ms. Gavigan asked about transferring ownership; she was advised that the title will be donated to the Township as part of maintained wooded forest area on the Sourlands. Mrs. Robbi again stated that it is adjacent to the Higgins property. Ms. Gavigan had no issue with the property, but she suggested turning over ownership to someone else. Mayor Sageser commented on no plan to turn over to D & R yet.

Motion by Mr. Van Horn, seconded by Mr. Mathews, and carried unanimously to close to the public.

Motion by Mr. Van Horn and seconded by Deputy Mayor Wang-Iverson to adopt Ordinance #14-03 with a correction in the text of the ordinance to reflect Lot 58 (not 158). The motion was carried unanimously by roll call vote: Mr. Van Horn, yes; Mr. Wang-Iverson, yes; Mr. Mathews, yes; Mr. Miller, yes; Mr. Sageser, yes.

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

As proof of public of publication, the notice from the June 19, 2014, Hunterdon County Democrat was shown. The ordinance has been posted and available to the public since introduction on June 12, 2014.

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

There being no comments from the public, motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried unanimously to close to the public.

Motion by Mr. Van Horn, seconded by Deputy Mayor Wang-Iverson, and carried unanimously by roll call vote to adopt Ordinance 14-04: Mr. Van Horn, yes; Mr. Wang-Iverson, yes; Mr. Mathews, yes; Mr. Miller, yes; Mr. Sageser, yes.

ORDINANCE 14-05 – CAP ORINANCE

As proof of public of publication, the notice from the June 19, 2014, Hunterdon County Democrat was shown. The ordinance has been posted and available to the public since introduction on June 12, 2014.

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

There being no comments, motion by Mr. Van Horn, seconded by Deputy Mayor Wang-Iverson, and carried to close to the public.

Motion by Mr. Van Horn, seconded by Deputy Mayor Wang-Iverson, and carried unanimously to adopt Ordinance 14-05: Mr. Van Horn, yes; Mr. Wang-Iverson, yes; Mr. Mathews, yes; Mr. Miller, yes; Mr. Sageser, yes.

PUBLIC HEARING ON THE 2014 EAST AMELL BUDGET

CFO Chris Hart was present during this discussion.

As proof of publication, the summary notice, published in the June 26, 2014, Hunterdon County Democrat was produced.

Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Miller, and carried unanimously to open to the public for comment.

Frances Gavigan, 123 Wertsville Road, asked if the Township Committee was able to find any more funding in the budget for the seniors. Mayor Sageser said that there was \$2,000 in the current form of the budget. Ms. Gavigan said that the group asked for more and since they get no other benefits, she suggested more money. Mayor Sageser said that it was the best that could be done this year.

Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Van Horn, and it was carried unanimously to close to the public for comment.

Mr. Hart said that there were no changes in the budget with a tax rate the same as last year. It was noted that the budget did indeed show a .0003 difference.

Mr. Van Horn said that he read a recent Trenton Times article wherein the Governor announced that tax rebates are being delayed 9 months, which would be more important than what funding was being given to the senior citizen association. He said that this would affect seniors who may not be able to afford prescriptions since they are dependent on that money. He stated that “this is not the first time that he (the Governor) has done this ... promising money to seniors later and never making it up.” He spoke about the lack of tax rebates being hard on seniors.

Mr. Van Horn said that he would like to see the budget at the same tax rate as last year and have the municipal share of the budget as low as possible to help the residents as much as possible. He said that he was aiming for no municipal tax increase, i.e., just keeping the budget flat on the municipal level, which was what the Township could control (i.e., not the school or county portion of taxes). Mr. Van Horn believed that the governing body needed to make an effort to do everything possible to do so. He suggested taking less out of the general fund for debt and use the open space trust fund for debt to reduce the budget by \$3,454.

Mr. Mathews said that Mr. Van Horn’s statement “was well said.”

Mayor Sageser agreed that the Committee wanted to keep the level flat, noting that even when the Township sends the budget to the county, they adjust it by rounding it up or down. He asked Mr. Hart if he could change the revenues to reflect a flat tax rate. Mr. Hart believed that by changing the revenues, this would require a re-advertisement of the budget. Mr. Mathews believed that Mr. Hart had previously advised that they could make adjustments of less than 10%

of appropriations. Mr. Hart explained that on the revenue side, the state and auditors would make the Township re-advertise the budget (and delay the public hearing). There was an exchange of comments between the governing body members, and the members began to look at the budget to reduce the appropriations. The intent was to reduce the appropriations side of the budget to reach the flat tax increase without the need to re-advertise.

Mayor Sageser suggested reducing the funding for the West Amwell police patrol budget, stating that the police will be on board for only 8 months at a reduction of \$1,500. Additionally, taking some funds on page 12 from general administration, the clerk’s account, and the financial administration (\$1,000 from each department) was suggested. Deputy Mayor Wang-Iverson commented briefly on how the county publishes the rate, agreeing that the budget should be reduced by \$4,500.

The budget changes were reiterated for the public, reducing the West Amwell police line by \$1,500; on page 12, reduce General Administration OE from \$40,600 to \$39,600; reduce Clerk’s OE line from \$10,405.00 to \$9,405.00; reduce Financial Administration OE from \$11,000 to \$10,000 and keep the rate of .18454 as the lowest point.

Mr. Hart agreed that he would be able to rework the budget to effect these changes. The Clerk asked if Mr. Hart would read the budget resolution (as part of the budget packet); Mr. Hart said that there was just a motion needed to adopt the amended budget and have the clerk certify the vote.

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RESOLUTION #93-14

Amended 2014 Budget for East Amwell Township
(Final Copy Attached to the Original Set of Minutes)

By Order of the Township Committee,

Dart Sageser, Mayor

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Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Miller, and carried unanimously to adopt the budget as amended, with a reduction of the presented budget by \$4,500: Mr. Van Horn, yes; Mr. Wang-Iverson, yes; Mr. Mathews, yes; Mr. Miller, yes; Mr. Sageser, yes.

Mr. Hart agreed that he will annotate the budget with the structural disadvantage of depleting the open space reserve and the dependence on surplus and capital surplus. The tax rate will also be included in the budget message, along with information on a flat tax rate and where the tax levy is over the years. Mr. Hart agreed that he would be writing the budget message.

The Committee thanked Mr. Hart for his efforts.

EXECUTIVE SESSION

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RESOLUTION #94 -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 land acquisition (Scibilia) and 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 Deputy Mayor Wang-Iverson, and carried unanimously to approve the resolution.

Executive Session began at 8:29 p.m.

The regular session resumed at 8:35 p.m.

As Mr. Cushing was preparing to leave the meeting at this time, Mr. Mathews asked a question about the attorney bills, listed on page 7 of tonight’s bill list, referencing \$1100 for miscellaneous expenses without much breakdown. Mr. Cushing explained that his office does categorize expenses on the bill itself, including such categories at preparation for meetings; he suggested reviewing the bills for specific details.

Mr. Cushing left the meeting at this time.

SPECIAL COMMITTEE REPORTS – None

STANDING COMMITTEE REPORTS

PLANNING BOARD:

1) Resignation of Alternate Member Maria Souza: Ms. Souza presented a letter, dated June 11, 2014, resigning immediately for personal reasons. Mayor Sageser commented on Ms. Souza being a “good addition to the Planning Board.” Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Miller, and carried unanimously to accept the letter of resignation with regret.

RECYCLING COMMITTEE

1) Appointment of Three Youth Members: The Township Committee received three letters from students at East Amwell Township School, who were interested in serving on the Recycling Committee and have already been attending some of the meetings. Motion by Mr. Van Horn, seconded by Deputy Mayor Wang-Iverson, and carried unanimously to appoint the following youth members: Lundy Prendamano, Jenna Castellano, and Jack Miller (Committee Member Miller’s son).

ENVIRONMENTAL COMMISSION

1) Appointment of Alternate Member: Earlier in the evening, the Township Committee interviewed Dough Schleifer, who was interested in serving on the Commission. Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Miller, and carried unanimously to appoint Doug Schleifer to the Environmental Commission. Mr. Mathews commented favorably on Mr. Schleifer’s help with mapping trails.

UNFINISHED BUSINESS

TOWNSHIP ADMINISTRATOR’S UPDATE

1) End of Probationary Period for David Barrick, DPW Employee: Mr. Matheny briefly explained the probationary process, with appointment after one year or providing a three month

window to improve. He further explained that Dave Barrick filled in for a good part of time as a temporary employee when there was a prolonged absence on the crew. Since there was an employee whose retirement was imminent, Mr. Barrick's temporary position was extended through the end of June 2013, at which time he was appointed as a full time worker. Mr. Matheny commended Mr. Barrick's work, stating, "He is a very valuable member of the department and a good man," and he recommended the move to a permanent position.

Motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously to approve Dave Barrick as a permanent employee.

2) Resignation of FOSPC Administrator Scott Bauman: Mr. Bauman provided a memo dated June 17, 2014, resigning effective immediately. Mr. Mathews asked about reference to a communication from the Township Administrator to Mr. Bauman, mentioned in Mr. Bauman's resignation memo. Mr. Matheny stated that it was a personnel item; Mr. Mathews agreed that he would come by the office and review it.

Mayor Sageser asked about a replacement administrator. Mr. Matheny said that he discussed this with Glorianne Robbi and Dick Ginman (FOSPC Members), and they agreed to hold off on advertising the position at this time. They indicate that business is light, two summer meetings were cancelled, and they may be looking at different ways to approach the position. Originally, there was a secretary and an administrator, and when a former employee resigned, the position was combined with the same person doing both. One suggested possibility was hiring a secretary and have administration "hired out" with perhaps D & R Greenways doing the work at a reasonable rate within their budget. Mr. Matheny concluded by stating that as of now, there will be no advertising. The policy also allows posting of a position at the municipal building for two weeks. He further stated that the next meeting of FOSPC would not be until September, and municipal staff can assist with minutes, agendas, etc. When the Committee has further work, "we will hammer it out."

Mayor Sageser commented on the distinction of the role for administration and secretarial work, with grant applications, correspondence, etc. He commented on getting D & R Greenways involved, asking why they would be paid for services since they benefit from the work. He commented on secretarial work with minutes, the need for public interaction, and "passion" in the position.

Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Mathews, and carried unanimously to accept Mr. Bauman's letter of resignation with regret.

3) Alternatives to Dropbox for Cloud Base Storage (see June 2014 Minutes for Background): Mr. Matheny contacted Mark Gould, who is doing IT work for the municipality, about alternatives to Dropbox. Mr. Gould believed that "Dropbox was as good as any other cloud based program." Other suggestions included setting up an internal computer network, but since it would not be on the internet, the Committee would have to come to the Township building to get their information. Additionally, this would require the expense of set up and long term maintenance. Another program, Google Docs, was mentioned, but it does not work with Microsoft programs. Microsoft has Office 365, but this would require an expense of purchasing annual updates for each person using it.

In the interim, the Clerk had to set up a new Dropbox because of computer upgrades in the office. While some members had some issues with setting up the new Dropbox, they were all able to access the information. Mr. Mathews commented that since he does not have to download files and they are hosted now, he is able to use the application. The governing body was in agreement with continuing to use Dropbox for file sharing at this time.

4) Generator Grant Funds Withdrawn from State: OEM Coordinator Gary Myers emailed that he had a phone call that the State has pulled funding for generators, although no official word has been received. Mr. Matheny commented on being happy that they had not spend up to \$13,000 for engineering work for a generator, based on the previous promise of aid.

REQUEST FROM FREDERICK W. FASSETT, B. 17/L.35.16, FOR REFUND OF TAXES FROM MAY 31, 2013, AS A DISABLED VET (See June 5 and 30, 2014, Minutes for Background)

Two possible resolutions were provided for the governing body to consider, one was for return of only those taxes paid from June 2, 2014 when Mr. Fassett was declared eligible by the Tax Assessor for a 100% Disabled Veteran Tax Exemption, and the other was to refund taxes to the date of original disability award of May 31, 2013.

Mr. Mathews offered a “hybrid” solution, stating that the governing body of each municipality at its discretion may refund taxes. He stated that since the Township only has jurisdiction on the township taxes, the Township should only return those taxes for which they have jurisdiction. Deputy Mayor Wang-Iverson mentioned collecting school and other taxes; Mr. Mathews acknowledged that the township collects the taxes and disburses them to the county, school, firehouse. He stated that the Township is struggling with absorbing the liability, and he was sympathetic to the veteran. He suggested reimbursing the East Amwell piece and request the reimbursement from the other entities (acting as the agent), and pass it back to the veteran in the form of a credit.

Deputy Mayor Wang-Iverson believed that the County would give a credit but not the School. Mayor Sageser commented that the request was for taxes back from May 2013, refunding 30% of the taxes from the county and municipality, and 70% of the taxes were for the school. Mr. Van Horn commented that the Township would not get 70% of the taxes back. Mr. Miller reminded the governing body that the language was “may refund,” with some latitude. He would like to do something in recognition of the veteran, but he felt that the rest of the taxpayers had to be kept in mind. Mr. Miller believed that going forward, there would be a tax exemption savings, but going backwards, he suggested doing what is reasonable. Mr. Van Horn agreed that the taxpayers will be making up the exempted funds. Mr. Mathews also acknowledged that going forward, the property would be tax exempt, and the township can plan for the loss of money. However, going into arrears was difficult, especially with discussions on saving a few thousand dollars in tonight’s budget. He suggested the middle ground approach, as he previously stated.

Deputy Mayor Wang-Iverson suggested running this by the Tax Collector and the Assessor to confirm whether or not this is an option (i.e., will the property owner get a credit). Mr. Mathews again stated that the intent is to determine if refunds would be available from the other taxing authorities, which would be passed along to the veteran, mentioning a large tax burden on the municipality by providing the refunds.

The matter will be tabled until the next meeting, and the Tax Collector and Assessor will be asked for input on a resolution addressing the Committee’s recommendation.

NEW BUSINESS - None

OPEN TO THE PUBLIC

Frances Gavigan, 123 Wertsville Road, said that she was a child of a veteran, she has relatives who are veterans, and because of the sacrifices made by the veterans, she believed that the Township should refund all the money to this veteran. Further comments include: The person is permanently disabled; a thank you for their service letter should be provided with the refund; the residents would understand the refund; she is not getting benefit from the 70% of her school taxes; she suggested doing outreach to do a veterans’ fund raiser with Terry English being able to help with this.

Ms. Gavigan commented on the bills of the evening, mentioning bills for New Market Farm on Linvale Road (a 20 stall barn). She felt that the professional’s bills for farm buildings and zoning issues have been very high, relating that Ferriero Engineering has a bill for \$5,576.98 for this project. Ms. Gavigan also spoke the applicant posting \$1,000 an acre in an escrow account with additional requirements for an environmental inventory and curbing. She spoke about agricultural exemptions from zoning laws, evening in the mountain zone, for a grandfathered

farm. She stated that the applicant had to pay \$40,000-50,000 before the building ever started. She spoke about unfair financial impediments for farm businesses and the inherent East Amwell mission to support agriculture. She believed that the fees in East Amwell were exorbitant and not like other municipalities. Mayor Sageser asked if Ms. Gavigan believed that fees were cheaper in Princeton; she said no, but they were in West Amwell. Mayor Sageser commented on the need to pay fees for applications; Ms. Gavigan spoke about farm applications being processed without fees.

Ms. Gavigan concluded that she would be gathering numbers and asked if “we are getting what we are paying for,” adding that “public service is taking care of people.”

Ms. Gavigan spoke about adjustments to have a “truly flat tax year,” including review of the Administrator’s contract. She said, as a taxpayer, she was not supportive of FBI dues, weekend trips, cell phones, \$80 for deferred comp, and she suggested serious claw-backs, noting more staff turnover. She asked as part of the record, was there a schedule for annual review of employees, stating that she hasn’t seen a memo. She believed that employees may be blindsided without receiving any feedback in their positions. Ms. Gavigan mentioned turnover with CFOs and other staff members, stating it was unacceptable and not indicative of good management. She suggested no increase in the Administrator’s salary and setting up a bipartisan negotiation team for facts and performance. She further commented on staff happiness, a turnover in staff, and trimming costs at the top.

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

ADMINISTRATIVE REPORTS

TREASURER/CFO OFFICE:

Bills of the evening were offered for payment. Mr. Mathews asked for more detail on professional bills from the engineer, the planner, and the attorney. Mr. Matheny explained that the set up on the Edmunds accounting system which limits some information; Mr. Mathews felt for transparency, more detail should be provided. Copies of the professionals bills, showing detail, will be provided to the governing body members.

Mr. Mathews spoke about the electric bill for \$557 for the soccer field lighting, and some discussion took place, with Mr. Matheny providing the following highlights: the lighting expenses are around several thousand dollars a year for hardly any use; there were nine bulbs recently replaced at an exorbitant rate; the billing process involves paying an aggregate for 11 prior months; he is working with Recreation Committee Pete Fick to see when the lights are needed (possibly from November through April), and he is considering canceling the lights when not in use and paying a restart fee of \$75 as an alternate process.

Mr. Mathews asked who had the authority to turn on the lights. He was told that there are about 8 or 9 people who have access. There were also some comments exchanged about the process for turning on the lights, which is a high cost factor aggravated by all the lights on one circuit. The cost to separate the circuits would be around \$3,000. The fact that the soccer league intends to play only one field and rest the other during the season was mentioned.

Mr. Mathews commented on travel league play on high weeded fields with fines being levied by referees; he further commented that there should be standards of operation and the leagues should pay fees to use the fields.

Mr. Mathews asked about the bill from Simple Computer Solutions for \$5640; Mr. Matheny said that this was for software and hardware, including six computers and the switch replaced in the back room.

Mr. Mathews questioned the 2012 bill for WithumSmith and Brown for the 2012 audit; Deputy Mayor Wang-Iverson said that Christine Rosikiewicz (Assistant Treasurer) told him that there was an outstanding bill.

A question was asked about ABE sweeping costs; Mr. Matheny said that the DPW Superintendent was able to find a vendor at a good price for sweeping in specific areas, such as developments.

Motion to approve the bill list was made by Deputy Mayor Wang-Iverson, seconded by Mr. Miller and carried unanimously.

Treasurer's Resolutions:

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RESOLUTION #95-14

WHEREAS, the Summer Playground Director of the Township of East Amwell has approved the refund of the following registration fees;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of East Amwell that the Treasurer is authorized to issue refund checks to following:

Name	Amount of Refund
Tanesha Barnwell	\$150.00
Peter & Michelle Miller	\$ 50.00

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 with one abstention, Mr. Miller.

TAX COLLECTOR HYLAND presented her June report.

Tax Collector Resolutions:

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RESOLUTION #96-14

WHEREAS there has been a duplicate payment of second quarter 2014 taxes; and

WHEREAS, Anthony Lorenzoni, the property owner of Block 42, Lots 9.02 and Q0459; 43 Woodsville Road, has requested that the amount of overpayment for \$2,820.74 be refunded to Corelogic Tax Service for Chase Bank, the mortgage holder;

THEREFORE, BE IT RESOLVED that the \$2,820.74 be returned to:

Corelogic Tax Services
Attention: Escrow Reporting
1 Corelogic Drive, DFW 4-3
Westlake TX 76262

By Order of the Township Committee,

Dart Sageser, Mayor

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

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RESOLUTION #97-14

WHEREAS, the certified 2014 tax rate may be delayed from the Tax Board of Hunterdon County, and

WHEREAS, this amount is needed for the property tax bills to be printed; and

WHEREAS, there must be twenty-five days from the date of mailing for the return of the quarterly payment before interest is charged;

THEREFORE, BE IT RESOLVED that pursuant to N.J.S.A. 54:4-66 et seq., the payment without interest for third quarter 2014 taxes will be extended to at least twenty-five days from mailing of the tax bills, after which time all receipts for the third quarter shall be deemed delinquent with interest accruing from August 1, 2014.

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.

MUNICIPAL COURT ADMINISTRATOR HOOVEN presented the June report.

DPW SUPERINTENDENT SILVERTHORN provided the June Road Report. Mr. Matheny related that the DPW has historically mowed the outside fields at the firehouse as a reciprocal agreement with the fire company, i.e., when the DPW needed a tanker truck for clearing drains, the fire company would provide one in exchange for field mowing.

NJ STATE POLICE: The June report was noted without comment.

Mr. Matheny added that he had provided the West Amwell police report to show where they have been patrolling. Mayor Sageser commented on the State Police have some presence on Lindbergh Road. Mr. Matheny said that he doesn't want to see the West Amwell Police on Route 31, stating that the goal is to see compliance everywhere. He is also looking for productivity, adding that 48 summonses for the month is a good representation. Mayor Sageser asked about warnings v. summonses; Mr. Matheny felt that the police were not overly harsh, adding sometimes seatbelt tickets are issued rather than violations. Mayor Sageser liked the breath of coverage; Mr. Mathews thought that it was more than what Raritan Township provided. The Committee felt that West Amwell Township Police Department was doing a good job.

CORRESPONDENCE

Correspondence was noted for filing.

ADJOURNMENT

Motion by Deputy Mayor Wang-Iverson, seconded by Mr. Miller, and it was carried unanimously to adjourn the meeting at 9:35 p.m.

Teresa R. Stahl, RMC/CMC
Municipal Clerk