

The regular meeting of the East Amwell Township Committee was called to order at 7:35 p.m. Present were Mayor David Wang-Iverson, Deputy Mayor Dart Sageser, 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 7, 2015, and a meeting notice published in the Hunterdon County Democrat issue of January 15, 2015. 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 April 7, 2015.

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

AGENDA REVIEW

As Correspondence, add two April 9, 2015, emails from Attorney Cushing regarding Affordable Housing and Recent Supreme Court Decision.

Under Special Discussions, Item A will be Presentation by Comcast Representatives and COAH will be Item B.

ANNOUNCEMENTS

A. Dog Licenses are now late; there is a \$25.00 per dog late fee attached to each license obtained at this time.

B. Hunterdon County Events: April 11 – Electronics Recycling (9 a.m. – 1 p.m.); April 25 – Paper Shredding (9 a.m. – noon); May 30 – Paint, Used Motor Oil, Propane Tanks, Smoke Detectors (9 a.m. – 1 p.m.) at the Route 12 County Complex. Call 908-788-1110 for details or email swrs@co.hunterdon.nj.us.

C. Roadside Clean up will be held on April 18th. Call Blaine Hummel at 609:466-2907 to volunteer.

D. The Annual Clean Up Day will be held on April 25 from 8 a.m. – 12 noon. Permits are on sale now in the Clerk's Office or you may obtain them the day of the event. Cost: Car-\$15; Van/SUV-\$25; Pick up/Trailer \$35.

E. The annual Plant Exchange will take place on May 9 from 9 a.m. – 11:30 a.m. at Clawson Park, rain or shine.

F. Greenfest will be held on Saturday, May 9 from 11 a.m. – 2 p.m. at East Amwell Township School. Residents are encouraged to participate.

Mayor Wang-Iverson added that the School is currently have a contest sponsored by Colgate and Terracycle to vote to win playground equipment. The School is in 3rd place, and he encouraged everyone to vote every day.

UPDATE FROM THE CFO

CFO Margaret Pasqua was present at this time.

1) Resolution Authorizing the Issuance of \$1,139,000 Bond Anticipation Notes

Ms. Pasqua explained that the notes had to be renewed since they were expiring in May. Mr. Mathews asked for an explanation. Ms. Pasqua said that \$550,000 was owed from 2006, and the Township budgeted \$40,000 per year to pay down this amount. There are two more bond

ordinances (one in 2012 for \$190,000 and one in 2013 for \$114,000), and she incorporated all these ordinances into the new bond anticipate notes.

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RESOLUTION # 51-15

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$1,139,000 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF EAST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY.

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EAST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to a bond ordinance of the Township of East Amwell (herein called “the local unit”), entitled: “Bond ordinance of the Township of East Amwell, in the County of Hunterdon, New Jersey, providing for the Township’s share of the cost of easements under the farmland program to be undertaken jointly with the County and the State appropriating \$1,050,000 therefor and authorizing the issuance of \$1,000,000 bonds or notes of the Township to finance part of the cost thereof”, finally adopted on June 8, 2006 (#06-12), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$550,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor, and any action heretofore had or taken with respect to said notes is hereby approved, ratified and confirmed.

Section 2. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the Township’s share of the acquisition of development easements in two farms located within the Township for and by the Township of East Amwell, in the County of Hunterdon, appropriating \$310,000 therefor, and authorizing the issuance of \$295,000 bond or notes of the Township to finance part of the cost thereof”, finally adopted on November 8, 2012 (#12-12), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$190,000 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the acquisition of a tractor/boom mower for and by the Township of East Amwell, in the County of Hunterdon, New Jersey, appropriating the aggregate amount of

\$120,000 therefor, and authorizing the issuance of \$114,000 bonds or notes of the Township to finance part of the cost thereof”, finally adopted on February 14, 2013 (#13-02), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$114,000 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor

Section 4. Pursuant to a bond ordinance of the local unit, entitled: “Bond ordinance providing for the acquisition of a backhoe, and barn garage renovations for and by the Township of East Amwell, in the County of Hunterdon, New Jersey appropriating \$259,700 therefor, and authorizing the issuance of \$246,715 bonds or notes of the Township, to finance part of the cost thereof”, finally adopted on October 10, 2013 (#13-07), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$152,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor, and any action heretofore had or taken with respect to said notes is hereby approved, ratified and confirmed.

Section 5. Pursuant to a bond ordinance of the local unit, entitled: “Bond ordinance providing for the acquisition by the Township of East Amwell, in the County of Hunterdon, New Jersey, appropriating \$140,000 therefor and authorizing the issuance of \$133,000 bonds or notes of the Township for financing such appropriation”, finally adopted on March 12, 2015 (#15-02), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$133,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor, and any action heretofore had or taken with respect to said notes is hereby approved, ratified and confirmed.

Section 6. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 to 5 described, shall be combined into a single and combined issue of bonds in the principal amount of \$1,139,000.

Section 7. The following matters in connection with said Bond Anticipation Notes are hereby determined:

(a) All notes issued hereunder shall mature at such times as may be determined by the chief financial officer or treasurer of the local unit (the "chief financial officer"), provided that no note shall mature later than (i) one year from the date of the first note issued hereunder and (ii) three years from the date of the first note issued pursuant to the bond ordinance referred to in Sections 1 to 5 hereof, unless the local unit shall have been paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and

(c) The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the local unit in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

Section 8. The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the chief financial officer's signature upon said notes shall be conclusive as to such determinations.

Section 9. The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 10. Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 11. The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 12. The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 13. This resolution shall take effect immediately.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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

2) Finance Office Update

Ms. Pasqua said that “the office is coming together”; she is working on the general ledger for 2015; and she will bring in the auditors to review the work she is doing.

STANDING COMMITTEE REPORTS

RECYCLING COMMITTEE

1) Report From Chair: Chair Will Harrison was present at this time. He thanked the governing body for allowing the opportunity for dialogue, adding that other committees will appreciate this too. He outlined the history of the Recycling Committee, with the following highlights: The Recycling Committee arranges monthly depots and also monitors the annual clean up day; he said that the Committee enjoys working with people and service is rewarding, and this is why he continues to serve; the state mandates that municipalities encourage recycling, and having the monthly depot helps; they also monitor recycling on municipal fields; all municipalities handle

recycling in different ways, e.g., Union has its own compactor, and Lambertville does weekly curbside collection by the DPW.

Mr. Harrison continued: in the 1980's recycling materials were collected and stored in the garage until pickup and separated at the County; there are 2 30 yard containers brought to the depot today; products have expanded to include plastics 1 – 7, aluminum, all colors of glass, paper and everything is co-mingled; many people have curbside recycling by subscription basis; the Recycling Committee is working on their goals and will finalize them next week; they also manage recycling at Clawson Park and encourage County participation in recycling at the Fairgrounds; there is recycling increase, but reported numbers may not be accurate; the Recycling Committee's goal is to educate the public on how to recycle everything, via the VIP, handouts, participation at Greenfest, contests, etc.; there is an electronic sign up on the website to volunteer at the depot, but there is still a lack of volunteers, including membership on the Recycling Committee; the Committee is collecting large pieces of Styrofoam and may start collecting peanuts in the future – one load went to Bristol and another to New Brunswick; there is funding from the state, i.e., approximately \$11,000 in the Clean Community Grant last year and also a tonnage grant, counting what is collected here and at the school – Maria Prendamano does the tonnage grant application.

Mr. Harrison also provided anecdotal information on how he came to volunteer on the Recycling Committee, including being asked by then Clerk Pat Cregar to volunteer in 1991, becoming a member of the Recycling Committee in 1992 and Chair in 1993. He continues to serve and enjoys the position and working with great people; he felt that it was “worthwhile” to serve when residents recognize the efforts of the committee.

Mr. Mathews asked Mr. Harrison to speak about the new children members of the Recycling Committee. Mr. Harrison explained that the Recycling Committee does allow for Youth members, and there has been a gap of 5 – 8 years without these members. There are now three members; they cannot vote but they are full members who may comment and give youth reports every month. Mr. Harrison commented on it being “great to see the next generation that cares and has its own ideas.” The Committee thanked Mr. Harrison for his report.

2) Resignation of Member Sande Katz (3/20/15 Email from Ms. Katz): Motion by Deputy Mayor Sageser, seconded by Mr. Mathews, and carried unanimously to accept the resignation of Sande Katz with regret.

APPROVAL OF MINUTES

March 12, 2015 Special Minutes were approved on a motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously.

March 12, 2015 Executive Minutes (Security; COAH; Atty. Advise) were approved on a motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously.

March 12, 2015 Regular Minutes were approved on a motion by Deputy Mayor Sageser, seconded by Mr. Van Horn, and carried unanimously with Mr. Mathews stating that he was only approving the minutes up until he left the meeting.

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

Joseph Orvos, 30 Back Brook Road, provided a handout to the members of the governing body regarding his dissatisfaction with activities by his neighbor at 36 Back Brook Road.

In condensed form, Mr. Orvos's property is in front of 36 Back Brook Road, which is a flag lot; there have been heavy trucks moving back and forth since January, “pulverizing the shared driveway” and speeding on Back Brook Road; the property owner has cut down trees and filled in dirt, with Mr. Orvos stating, “he has destroyed the land”; the owner does have a forest management plan (recently approved) and Hunterdon County Soil Conservation Plan; the Zoning Officer has been unable to assist him; the DEP has been out and there is some encroachment on

Back Brook with some restoration to be done; Mr. Orvos is concerned that no one is checking on this matter.

Mr. Orvos continued, as follows: the property owner (Mr. Urbano) is putting in a road and may plant grapes/figs; Mr. Orvos contacted the neighbor by letter asking him to stay out of his area; there may be a swale that has been affected; trees have been removed and the land filled almost three feet high with hundreds of loads in trucks; dust is terrible and Mr. Orvos cannot have picnics on his property; he loves East Amwell and he believed that the Township Committee should look into the matter since the County and State are not doing much. Mr. Orvos commented on speaking with the Mayor and the Zoning Officer, but he was concerned that nothing was being done. He felt that there were options, including the tree ordinance, and he wanted some action.

Deputy Mayor Sageser spoke about the property being in the Valley Zone and the property owner's intent to farm with right to farm protections, adding that there is a state approved forest management plan. Mr. Mathews commented on the forest management plan not being approved at the time that the trees were removed. Mayor Wang-Iverson said that the plan was approved on March 30, and Mr. Orvos said that the plan was being rescinded.

Mayor Wang-Iverson said that he, the Administrator, the Zoning Officer, and the Township attorney have been looking at the issues, and the fact is that the property owner has state approval of the plan. The next step will be to have the Tax Assessor arrange an inspection by the State, and if there is a violation of the forest management plan, it will be up to the State to act. Mr. Orvos was concerned and objected, asking for help from the Township Committee, i.e., he did not want the neighbor to cut the trees and build a driveway. A comment was made about a possible drainage easement on the property; Mr. Orvos was advised that the Environmental Commission monitors easements.

Mr. Orvos said that there were loopholes, he was upset, and he asked for someone to take initiative. He did not want to sue the neighbor, but he "cannot live like this and [may have to] move" – he also called the DPW about Back Brook Road being broken up by the trucks and bulldozers. The Mayor said that the DPW Superintendent took pictures and is looking at the road conditions. Mr. Orvos did not feel this was enough; this has been going on 3-4 months, and the state plan should not have been approved; also, there was an email from the state to the Zoning Officer regarding the stream encroachment. The Mayor said that the Assessor would be contacting the State for an inspection; Mr. Mathews again said that the plan was not approved at the time that the trees were removed, and he felt that the tree harvesting ordinance may have been in play. Mayor Wang-Iverson commented on advice from the attorney that the trees were under the state's jurisdiction.

Beverly Smith, 30 Back Brook Road, commented on a Trail Association easement on the property and activity near the septic system on the property. She again asked for assistance, not wanting mud near her house. She mentioned endangered species in the area, e.g., bats, birds, turtles, etc.; trees near a swale which were removed; activities in a DEP regulated area; the State Plan for forestry, which was in violation; a Soil Conservation plan to "rip up everything"; heavy equipment on site, etc.

Mayor Wang-Iverson again stated that Assessor Marianne Busher will ask the State to inspect the tree removal, and the DPW will continue to monitor the road. Mr. Orvos wanted an answer about the expected tree removal on his side of the property; the Mayor said that there was no answer tonight, and the trees on the Orvos/Smith side of the property were part of the Forest Management Plan controlled by the State. Mr. Mathews explained that he has a State Forest Management Plan good for a ten-year period, adding that the Township's tree harvesting ordinance would have been in effect prior to State approval of the plan on March 30; he asked why the Zoning Officer was not involved. The Mayor explained that the property was previously farmed but lost that assessment, and the current owner was trying to get back into farmland assessment.

Mr. Orvos and Ms. Smith again asked for assistance, stating that Soil Conservation and the Zoning Officer were unable to help prevent the tree harvesting and soil moving; Mr. Orvos again said that he wanted activities stopped on his side of the property. The Mayor again said that the State would come out to inspect, adding that there was a County Soil Conservation plan. Deputy

Mayor Sageser stated that these were two different issues. Mr. Orvos commented on dirt on the road, and Ms. Smith commented on “insensitivity” and not caring for residents and roads. Mr. Orvos said that the matter could not be delayed for a month, and there were ordinances in place.

Mayor Wang-Iverson concluded that Ms. Busher would call the State for an inspection.

Motion by Deputy Mayor Sageser, seconded by Mr. Miller, and carried to close to the public at 8:25 p.m.

SPECIAL DISCUSSIONS

PRESENTATION BY COMCAST

Molly Adams, Government Affairs Management, was present at this time, asking for any questions from the governing body or public.

Deputy Mayor Sageser said that service during the last quarter was good with no outages to report. Ms. Adams highlighted improvements at Comcast, i.e., adding CBS Decades to the channel line up and continued interest in the X-1 Box. Mr. Mathews has X-1 Box but was having connection problems; Ms. Adams spoke about new technology being continually tweaked.

Mayor Wang-Iverson spoke about a situation with downed wires on Van Lieus Road a few months ago. Ms. Adams explained that she previously reported this, and the problem took place when the billing system was being changed at Comcast; therefore, there was no response from the company and there was a miscommunication issue. Ordinarily, the customer or township would be called back to inform them of the matter, and in this case, it was not a Comcast line. Additionally, a public safety ticket is usually opened by a public safety official, such as the police or fire police, and there would have been response.

Deputy Mayor Sageser asked about identifying ownership of lines on the poles, adding that he believed that Comcast was usually more efficient than others in responding in storms. Ms. Adams explained that when lines to a home or several homes are down in a storm and modem dialogue is blocked, there is a signal sent to the company for response. If there is only one home, there is no automatic response. Ms. Adams said that the company did not believe that it was a Comcast line that was down during this past incident since she saw a note from the technician that it was not a Comcast wire. Additionally, there was a ticket opened by a customer and one opened by the DPW, and perhaps the response was made directly to the customer. Mr. Van Horn commented on Comcast’s failure to respond to the State Police; Ms. Adams said that the company did research the matter and explained the situation. She added that her contact information has been repeatedly given to Township officials when she has attended meetings in the past so that she could assist.

Ms. Adams spoke about sending the recent franchise check from Comcast, and she was available to serve. Mayor Wang-Iverson thanked her for the report, and the meeting was open to the public for comments.

Sue Posselt, Cider Mill Road, asked about getting an up-to-date channel listing, adding that the last one she had was for 2013, which was provided with a bill mailing. She added that getting it off the internet did not provide a clear, readable guide. Ms. Adams agreed to help Ms. Posselt with her request.

Ms. Posselt complained in 2013 about not being in the phone book since she has her phone service through Comcast. Ms. Adams said that Comcast is not responsible for the phone book and how numbers get in there. Ms. Posselt indicated that Ms. Adams knows about her request for the number to appear in the phone book.

Carl Maffei , 107 Lindbergh Road, asked about ownership of the poles; he was told that they either belonged to JCP&L or perhaps NJ Bell.

Ms. Adams said that the poles usually have metal identification tags on them (unless were removed), and the cable company does not own poles. Comcast has a license to attach their lines to the poles from either the phone company or the electric company. Mr. Maffei was concerned with low hanging lines on Lindbergh Road, which are getting worse and eventually won't even allow large trucks to get under.

Ms. Adams added that usually, the phone line is lowest on the pole, with cable next and electric on top. She will check with Comcast about the matter, but she suggested calling Verizon also. Mr. Mathews asked if Comcast called the phone company if they discovered that they were not cable lines; Ms. Adams said no. Deputy Mayor Sageser asked about leaving "loops" of cable on the poles; he also asked about running multiple lines on poles. Ms. Adams spoke about some instances where fiber lines are run between electric and phone lines.

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

The Committee thanked Ms. Adams for her presentation tonight.

COAH (AFFORDABLE HOUSING) UPDATE

Planning Board Chairman Don Reilly and MHL Housing Agent Jim Robbins were present at this time.

1) Discussion on 3-10-15 Court Decision on COAH: There has been a recent court decision on COAH with a new set of plans and giving judges the responsibility to determine the municipality's affordable housing requirements. Deputy Mayor Sageser provided specifics on rumored judicial assignments.

Mr. Reilly explained that the Township has a certificate of approval for the third round, and the Township needs to monitor how to implement the recent decision. He added that the League of Municipalities is urging municipalities to contact their legislators to request the implementation be by the DCA, not the judges. COAH indicates that the Township has 60 mandated units; Mayor Wang-Iverson mentioned having 74 units to be approved. Additionally, there are 18 units currently being monitored; Mr. Robbins said that the numbers are based on actual growth, with 18 being monitored now. If the Township grows, additional units were required. He added that there were a number of write down/buy down units in the Township's plan. Mayor Wang-Iverson referenced a letter stating that the Township had 22 units; Mr. Robbins explained that the CTM unit will be updated by the end of April (based on the recent court decision), and the 22 credits included the Easter Seals home, which left the Township. Mr. Robbins explained that COAH says that the Township has the credits until the next time the records are reviewed.

Mr. Mathews asked about growth; Mr. Robbins said that growth is based on foundation permits. Mr. Robbins said that there were 18 units on the final plan, adding that there were four modifications and two reclassifications on the existing plan, and the Township is working with NORWESCAP to qualify new people and a new candidate for a write-down/buy-down unit.

Mayor Wang-Iverson commented on the Planning Board taking the lead. Mr. Reilly commented on discussing this with the Planner and the Planning Board attorney. He has reviewed Attorney Cushing's memo, and it was consistent with the Planning Board's opinion. By July 8, the Township will need to decide if they wish for a declaratory judgment and ask the courts to review the existing plan with a rationale for the plan. Sixty-five units is the number that the Township needs to validate and they have until November to update the COAH plan for approval. By filing the judgment by July 8, the Township will have protection against builder remedy. The Planning Board will request that the Township Committee have the Township attorney file a declaratory judgment, but do it close to the July 8th deadline, not earlier since this is a confusing issue and there may be more answers by the July deadline. Mr. Reilly spoke about the Planning Board's position that they are making a "good faith effort" submitting the fair share plan based on existing information and submitting it prior to the November deadline if the declaration is granted. The Planning Board believes that the last COAH round is "okay," while the fair share housing number is high. It is assumed that the Township will retain existing credits.

Mr. Reilly felt that Attorney Cushing's memo was clear, and the Fair Share Housing Center may contest the submission, including the declaratory judgment. He said that if they contest East Amwell's plan, the Township is in a good place to challenge the decision in court, if necessary.

Mr. Cushing said that Mr. Reilly and Mr. Robbins did a good job covering the basics, and the issue is in flux. The problem is that the numbers that Fair Share Housing Center provided are very high, and there is an incentive for builders, e.g., for every 100 they will get 500 units under Mount Laurel regulations. Mr. Reilly felt that this was high, and that the 20% assumption was not allowed anymore; Mr. Cushing disagreed, stating that planners are telling him that the 20% is allowed again.

Mr. Robbins equated the COAH regulations to "playing football without rules." He felt that the plan East Amwell has is a good one for this community, and the actual numbers are based on foundations. He felt that with "stagnant growth," the Township was in a good position.

Mr. Reilly spoke about a declaratory judgment and presenting the plan to the Courts with the Fair Share Housing Center arguing against it. He believed that the Judge will decide on a reasonable number, adding that Judges will use different rationale for each case.

Mr. Cushing cautioned about working on the compliance plan, adding that until a number is decided by the courts, the municipality should be concerned, i.e., if the Township goes with a higher number and the courts assess a lower figure, the municipality is locked into the higher figure. Mr. Reilly agreed, stating specific figures, and adding that it was an unknown. Mr. Cushing spoke about growth share being dead and going back to the original state planning figures.

Mr. Robbins spoke about Senator Bateman legislation and letting the municipalities decide themselves; Mr. Robbins felt that the legislation would pass. Mr. Cushing hoped so, suggesting that the municipality ask for political support to get COAH to "get its act together." Mr. Robbins spoke about the Township being prepared with the 3rd round submission through 2018, and there has been no growth. Mr. Reilly agreed that having the certificate from the state was beneficial and would be more in the Township's favor with the Judge. Mr. Cushing said that there were three categories, i.e., those who received certification, those who have applied for certification and did not receive an answer, and those who have done nothing. He felt that having a plan was a good faith effort.

Mr. Robbins cautioned against spending a lot of money on the plan. Deputy Mayor Sageser commented on a short time frame, i.e., waiting for July for the declaration and having a plan by November. More comments were exchanged by those in attendance. Mr. Cushing mentioned precedent setting cases to be heard that may change the framework on how the rules apply. Mr. Robbins also mentioned a new tenant application for COAH, adding that the list is not long, that the municipality does not have access to public transportation, which was one of the reasons that the Easter Seals Home left the Township.

Mr. Reilly concluded that the key is the number that is assigned, and the Planning Board will have to build a plan on the number. He stated that the Planning Board will keep the Township Committee informed, adding that two governing body officials serve on the Planning Board already for better communication. Mr. Cushing agreed that getting the right planning number is key.

Mayor Wang-Iverson said that more discussion may take place at the May meeting, and he thanked Mr. Reilly and Mr. Robbins for coming to tonight's meeting.

PRESENTATION BY HART COMMUTER INFORMATION SERVICES

Executive Director Tara Shepherd and Complete Streets Coordinator Liz Usmani were present.

1) Complete Streets Resolution (revised by HART on 3-12-15): Ms. Usmani spoke about the emailed spreadsheet with options; she indicated that it was from a model from Essex

County, and the Township should use it as a planning tool for new projects coming along, choosing which options it wanted for each street.

Ms. Shepherd explained that the Township may want to set a policy on how to approach road projects. The checklist gives a framework and flexibility for implementing the policy. The checklist is based on best practices throughout the state and should be used as an internal document to implement policy. Ms. USMIANI said that only 36 municipalities have adopted the complete streets resolutions; she added that it is helpful to adopt the resolution as support in applying for grant aid.

Mayor Wang-Iverson asked about the value to the Township by adopting the complete streets resolution. Ms. Shepherd spoke of it as an approach look at the community and road system, not just for motor vehicles. With many people walking and biking, it is a change in mindset from engineering and maintenance for drivers and takes the needs of the other users into consideration. Ms. Shepherd mentioned NJ DOT grants for other applications, adding that the State has a complete street policy, and grant applicants get extra points for having their own policy. Deputy Mayor Sageser asked about getting the extra points for specific criteria, e.g., horse crossings, etc.; Ms. Shepherd said yes, that the municipality can customize their complete streets policy for specific areas and make it context sensitive. The Mayor indicated that even with adopting the resolution, the policy may not be applicable to all streets in the municipality.

Deputy Mayor Sageser asked if HART representatives have seen any clever adaptations in rural communities; Ms. Shepherd said that the policy is context sensitive and roads are looked at on a road by road basis.

Mr. Mathews asked why the Township would want to adopt the resolution, adding that a lot of roads are not even safe for cars and need to be fixed. Ms. Shepherd commented on rural roads in Ringoes where pedestrians often walk and also pedestrians in the Ringoes village – she felt that there was a philosophical consideration to be made. Mayor Wang-Iverson said that the Planner recommended this for traffic calming and to help with grant applications; he did not see any down side to adopting the resolution, adding that there was no obligation in every circumstance, and it was primarily for the village. Ms. USMIANI said that there can be environmental or cost reasons not to implement, or the engineer may feel that it is not appropriate in some situations. It is a resolution, not an ordinance, and the Township does not have to retrofit existing roads; the Township may just want to consider this if something comes up in the future. She also noted that Califon adopted the resolution two years ago, while they have not used it; however, it does help them with grant applications.

Deputy Mayor Sageser did not see a downside to adopting the resolution; he mentioned the request of Ringoes residents for traffic calming and the need for some road repairs; he agreed that it was a philosophical decision when doing maintenance on a road. Mr. Van Horn mentioned work on the roads in Hopewell Borough, adding that a lot of work has been done with grants. He mentioned the “change in atmosphere of the Borough,” which took time, and he would like to see a similar transition in the Village of Ringoes with pedestrian activities that may help the economy of Ringoes. Ms. Shepherd mentioned that throughout the county, people are walking whether there are sidewalks or not; she felt that this is something that people want.

Further comments were exchanged between HART representatives and the governing body, and it was agreed that the resolution was a general, enabling one.

Ms. USMIANI spoke about the recent speed study done in the Village area, with the equipment on stealth mode for two weeks collecting data while not lit. Additional data was collected the next two weeks when the equipment was lit, and data, collected on traffic going one direction, was compared showing specific speed trends. The data can be used to help with enforcement priorities by reviewing the trends. Ms. USMIANI offered to do another study going forth, adding that she would also be willing to consult and provide suggestions for efficiency. Ms. Shepherd also suggested that when the Township installs its own devices, they may want to consider purchasing additional brackets and move the devices to a few locations rather than staying in one location. Ms. USMIANI said that the device did seem to slow traffic down and she suggested placing the Township’s unit on a sign that has the speed limit listed; Ms. Shepherd mentioned two signs in the County where the signs were vandalized.

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RESOLUTION #52-15

WHEREAS, the New Jersey Department of Transportation’s Complete Streets Policy states, “a Complete Street is defined as a means to provide safe access for all users by designing and operating a comprehensive, integrated, connected, multi-modal network of transportation options;” and

WHEREAS, as part of this policy, the New Jersey Department of Transportation strongly encourages the adoption of similar policies by regional and local jurisdictions who apply for funding through Local Aid programs; and,

WHEREAS, streets are a critical component of public space and an asset in establishing the image and identity of a community; providing a key framework for the history of an area, as well as current and future development; and,

WHEREAS, Complete Streets policies support the goals of the East Amwell Township Master Plan; and

WHEREAS, the benefits of Complete Streets include improving safety for pedestrians, bicyclists, children, older citizens, non-drivers and the mobility challenged; and

WHEREAS, providing connections to bicycling and walking trip generators such as employment, education, residential, recreation, retail centers and public facilities; promoting healthy lifestyles; creating more livable communities; reducing traffic congestion and reliance on carbon fuels thereby reducing greenhouse gas emissions; and saving money by incorporating sidewalks, bike lanes, safe crossings and transit amenities into the initial design of a project, thus sparing the expense of retrofits later; and

WHEREAS, the governing body of East Amwell Township wishes, to the extent practicable, to implement a Complete Streets policy through the planning, design, construction, maintenance and operation of new and retrofit transportation facilities, enabling safe access and mobility of pedestrians, bicyclists and transit users of all ages and abilities.

NOW, THEREFORE, BE IT RESOLVED, by the East Amwell Township Committee that all public street projects, both new construction and reconstruction (excluding maintenance) undertaken by East Amwell Township shall be designed and constructed as “Complete Streets” whenever feasible to do so in order to safely accommodate travel by pedestrians, bicyclists, public transit, and motorized vehicles and their passengers, with special priority given to pedestrian safety, and subject to the following conditions:

- a. Pedestrian and bicycle facilities shall not be required where they are prohibited by law.
- b. Public transit facilities shall not be required on streets not serving as transit routes.
- c. In any project, should the cost of pedestrian, public transit, and/or bicycle facilities cause an increase in project costs in excess of 15%, as determined by engineering estimates, that would have to be funded with local tax dollars, then and in that event, approval by Township Committee must be obtained for same prior to bidding of the project.
- d. Character of the road shall be considered in the implementation of the Township policy.

BE IT FURTHER RESOLVED, that the Planning, Engineering and Public Works Departments should make Complete Streets practices a routine part of everyday operations, should approach every transportation project and program as an opportunity to improve public streets and the transportation network for all users, and should work in coordination with other departments, agencies and jurisdictions to achieve Complete Streets.

BE IT FURTHER RESOLVED, that the advisory Council shall work to incorporate the goals and objectives of the Complete Streets policy into the East Amwell Township Master Plan which is proposed to integrate the local and land use development goals and regulations with the transportation polices and investment strategies.

BE IT FURTHER RESOLVED, that one or more of the following implementation tools may be used in support of this Complete Streets policy:

- a. Coordination between departments and provision of training to municipal employees, including public works, maintenance, planning and engineering.
- b. Establishment of a checklist for project review
- c. Establish data collection and performance measures to evaluate the effectiveness of streets for all users.
- d. Address the specific needs of bicyclists and pedestrians on local roadways.
- e. Direct the use of the latest and best design and engineering standards, including paving shoulders and/or narrowing travel lanes to provide striped shoulders on roads for bicycle, pedestrian, farm equipment and emergency use. Avoiding placement of rumble strips that could interfere with the safe operation of bicycles.
- f. Anticipate future bicycle, pedestrian and transit demand, even on bridges and in and around train stations.
- g. Identification of capital improvements that expand the opportunities for safe roadway use by all users.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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Motion by Deputy Mayor Sageser, seconded by Mr. Van Horn, and carried unanimously to approve the Complete Streets Resolution.

Ms. USMIANI said that East Amwell was the seventh municipality in Hunterdon County to adopt the resolution, and she was appreciative.

The Committee thanked the HART representatives for coming to this evening’s meeting.

CONSENT AGENDA ITEMS

NORWESCAP RESOLUTION OF CONGRATULATIONS FOR 50 YEARS OF SERVICE

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RESOLUTION #53-15

PROCLAMATION COMMENDING NORTHWEST NJ COMMUNITY ACTION PARTNERSHIP, INC. (NORWESCAP) UPON THE OCCASION OF CELEBRATING THE 50TH ANNIVERSARY OF COMMUNITY ACTION

WHEREAS, it is the sense of the Township Committee of East Amwell to recognize that the quality and character of life in the communities across northwestern New Jersey are reflective of the concerned and dedicated efforts of the organization and individuals that are devoted to the welfare of the community and its citizenry; and

WHEREAS, the Township Committee is proud to commend NORWESCAP upon the occasion of celebrating their 50th Anniversary of serving the community; and

WHEREAS, since 1965, Northwest NJ Community Action Partnership, Inc. (NORWESCAP) has been providing invaluable and outstanding service to the citizens; and

WHEREAS, NORWESCAP is one of 23 Community Action Agencies in New Jersey State, and one of over 1,000 nationwide founded on a common purpose: to support low-income households as they develop their abilities to be self-supporting and develop family and community relationships that will sustain self-reliance; and

WHEREAS, Community Action was born out of the Equal Opportunity Act of 1964 that was initiated by President John F. Kennedy and brought to fruition by President Lyndon B. Johnson who, during a memorable State of the Union address 50 years ago, declared unconditional war on poverty; the Economic Opportunity Act was signed into law on August 20, 1964, and not only spurred the birth of Community Action, but also inspired the introduction of Head Start one year later; and

WHEREAS, NORWESCAP was created through these efforts and;

WHEREAS, half a century later, NORWESCAP operates fifteen major programs: has grown to 270 full and part-time employees and more than 30,000 individuals are served each year through a multitude of anti-poverty services; and

WHEREAS, NORWESCAP is a community leader; its positive action changes people's lives, embodies the spirit of hope, improves communities, and makes New Jersey a better place in which to live; and

WHEREAS, it is the sense of this Legislative Body that when organizations and individuals of such noble aims and accomplishments are brought to our attention, they should be recognized and applauded by all the citizens of New Jersey; now, therefore, be it

BE IT RESOLVED by the Township Committee of East Amwell that they commend the Northwest NJ Community Action Partnership, Inc. (NORWESCAP), upon the occasion of celebrating the 50th Anniversary of Community Action; and be it further

AND BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Northwest NJ Community Action Partnership of Phillipsburg, Inc.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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RAFFLE LICENSE #15-02 FOR SPECIAL OLYMPICS FOR DRAWING TO BE HELD AT THE RIDGE OF BACK BROOK ON JUNE 22, 2015

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RESOLUTION #54-15

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby support the fund-raising efforts of Special Olympics of NJ, 1 Eunice Kennedy Shriver Way, Lawrenceville, NJ 08648; and

WHEREAS, the organization has made application to hold an on premises merchandise raffle on June 22, 2015, with a drawing at 7:00 p.m. at The Ridge at Back Brook, 211 Wertsville Road, Ringoes, NJ;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of East Amwell, that raffle license number #RL-15-02 be approved and processed for Special Olympics.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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RECYCLING RESOLUTIONS FOR TONNAGE AND SUBMISSION OF STATE GRANT

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RESOLUTION # 55-15

WHEREAS, the Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law," the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program.

NOW, THEREFORE BE IT RESOLVED by the Township of East Amwell, that East Amwell Township hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, Chapter 311, in 2014 in the amount of \$77.43. Documentation supporting this submission is available at 1070 Route 202/31, Ringoes, NJ 08551, and shall be maintained for no less than five years from this date.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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RESOLUTION # 56-15

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, C.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for the calendar year 2014 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee of East Amwell Township to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of East Amwell that East Amwell Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Maria Prendamano to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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APPOINTMENT OF CERTIFIED RECYCLING COORDINATOR FOR SUBMISSION OF STATE GRANT APPLICATION

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RESOLUTION #57-15

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby appoint Rick Smith as the Certified Recycling Coordinator, at a fee of \$200.00, to assist with the submission of the N.J. recycling grant application for 2015.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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Motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously to approve the consent agenda items.

PUBLIC HEARINGS AND INTRODUCTION OF ORDINANCES

Public Hearings:

A. ORDINANCE 15-05: AN ORDINANCE TO PROVIDE FOR THE PURCHASE OF TWO 1,500 GALLON TANKS, INCLUDING FRAMES, GRATES, CLEANOUT FRAMES/COVERS, RISERS AND INCIDENTALS FOR THE INSTALLATION OF A REPLACEMENT WASH WATER COLLECTION SYSTEM AS GENERAL IMPROVEMENTS FOR THE TOWNSHIP OF EAST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND APPROPRIATING \$14,000.00 FROM THE CAPITAL SURPLUS FUND

As proof of publication, the legal notice from the March 19, 2015, issue of the Hunterdon County Democrat was provided by the Clerk. The ordinance has been posted and available to the public since introduction on March 12, 2015.

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

Motion to adopt Ordinance 15-05 was approved by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously by roll call vote: Mr. Van Horn, yes; Mr. Miller, yes; Mr. Sageser, yes; Mr. Mathews, yes; Mr. Wang-Iverson, yes.

B. ORDINANCE 15-06: AN ORDINANCE TO AMEND THE 2013 SALARY AND WAGE ORDINANCE

As proof of publication, the legal notice from the March 19, 2015, issue of the Hunterdon County Democrat was provided by the Clerk. The ordinance has been posted and available to the public since introduction on March 12, 2015. The ordinance changes the salary of the CFO and the Township Committee.

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

Motion to adopt Ordinance 15-06 was approved by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously by roll call vote: Mr. Van Horn, yes; Mr. Miller, yes; Mr. Sageser, yes; Mr. Mathews, yes; Mr. Wang-Iverson, yes.

Public Hearing on the 2015 East Amwell Budget:

As proof of publication, the legal notice from the March 19, 2015, issue of the Hunterdon County Democrat was provided by the Clerk. The budget has been available to the public since introduction on March 12, 2015. The Mayor indicated that the budget kept a flat tax rate again this year.

The meeting was open to the public for comments.

Nancy Cunningham, 14 Wertsville Road, thanked the Township Committee for their excellent budget while allowing increases for the staff and keeping the tax rate flat with the total budget going down \$1,000 from last year. She said, "Thank you again and well done."

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

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RESOLUTION #58-15

Adoption of the 2015 Budget
(Resolution attached to the official set of minutes)

By Order of the Township Committee,

David Wang-Iverson, Mayor

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Motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously by roll call vote to adopt the 2015 Budget: Mr. Van Horn, yes; Mr. Miller, yes; Mr. Sageser, yes; Mr. Mathews, yes; Mr. Wang-Iverson, yes.

Mayor Wang-Iverson thanked Ms. Pasqua for getting the budget done on time for the first time in three years, and he quipped about her longevity in the CFO office.

Introduction of Ordinances:

A. DISCUSSION ON ROAD PROJECTS

Mayor Wang-Iverson said that the intent of Ordinance 15-07 is to obtain some money for road repairs. Ms. Pasqua said that there is \$350,000 in capital this year, but the whole road project plan would cost \$1.7 million. The Mayor mentioned a grant received for Zion Road in the amount of \$160,000, but this will not cover the entire project. Another problem to be addressed is a drainage issue on Linvale Road, and getting funding in place before winter is important.

B. ORDINANCE 15-07 – BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE TOWNSHIP OF EAST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$500,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION

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Ordinance 15-07 BOND ORDINANCE

(As Attached to the Official Set of Minutes)

By Order of the Township Committee,

David Wang-Iverson, Mayor

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

Introduced: April 9, 2015

Adopted:

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Motion by Mr. Van Horn, seconded by Mr. Mathews, and carried unanimously by roll call vote to approve the introduction of Ordinance 15-07: Mr. Van Horn, yes; Mr. Miller, yes; Mr. Sageser, yes; Mr. Mathews, yes; Mr. Wang-Iverson, yes.

The ordinance will be published in summary in the April 16, 2015, issue of the Hunterdon County Democrat and the public hearing is set for May 14, 2015 at 7:30 p.m.

SPECIAL COMMITTEE REPORTS – None

UNFINISHED BUSINESS

TOWNSHIP ADMINISTRATOR’S UPDATE

1) Hiring for Summer Playground Positions: Mr. Matheny referenced his April 9, 2015 memo regarding recommendations for the positions, stating that the program runs four weeks in the summertime. There are five directors (including the Supervising Director) with one candidate who will be absent one week. An additional candidate, who is affiliated with the School, will fill in for the one week that the primary director is away. There was another candidate interviewed who was not currently certified. All of the recommendations are currently teachers or substitute teachers at the school.

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RESOLUTION #59-15

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby accept the recommendations of Township Administrator Timothy Matheny and appoint the following applicants for the 2015 Summer Playground, also amending the existing Salary and Wage Resolution with these salaries:

Supervising Director Kathy Veith	\$296.53/week
Directors	
Alice Scott	\$245.53/week
Laurie Hornsby	\$245.53/week
Erin Shambaugh	\$245.53/week
Jennifer Stafford (three weeks only)	\$245.53/week
Loretta Truppelli (week of 7-6 to 10-15)	\$245.53/week

By Order of the Township Committee,

David Wang-Iverson, Mayor

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

2) Dog Census Position: Mr. Matheny explained that the census must be done every two years by law as a health issue, and the position is currently posted. Funding for the census comes out of the Animal Control Trust Fund, and the pay is \$825 per district for two districts (i.e., \$500 salary and \$325 for mileage). There is one person who has done both districts in the past and asked about an increase in salary. If the Township Committee wished to go this route, a salary and wage amendment could be introduced next month.

Mr. Matheny also indicated that the Animal Control Officer provided a proposal to do the work for \$2,100 for the full town. If this option was pursued, the ACO would do it as an additional responsibility in his contract without a need to amend the salary and wage ordinance. He added that providing \$925 or \$950 per side to the employee would be a cost savings.

Some discussion took place about the use of the animal control trust fund. Mr. Matheny explained that Deputy Clerk Dymek’s administrative time on dog licensing, rabies clinic expenses, etc. come out of this fund. He added that if the houses aren’t visited during the census, residents may discount the number of dogs they license when they may have more.

Mr. Van Horn was in favor of having the census taker do the work and to amend the ordinance at \$950 per district.

3) Probationary Period Ending for Sharon Brighthaupt as Agricultural Advisory and Historic Preservation Secretary, effective May 1: Mr. Matheny commented on the positive evaluation from the Historic Preservation Committee Chair, and he recommended the appointment to a permanent position. Motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously to approve Sharon Brighthaupt as a permanent employee.

4) Probationary Period Ending for Pamela Williamson as Part time Violations Clerk, effective 4/21/15: Mr. Matheny explained that Ms. Williamson assists Court Administrator Hooven in the Court, and Ms. Hooven finds her to be “very pleasant ... and has no reservations” about the permanent employment status. Motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously to approve Pamela Williamson as a permanent employee.

5) Pay-to-Play Resolutions for Insulation and Heating at the Grit Yard Building – Awards to Envirofoamtek and H. T. Lyons: Mr. Matheny explained the process to make these awards, which are above the \$17,500 Pay to Play threshold and below the \$36,000 bid threshold. He explained that as QPA, he solicited quotes for the work to be done at the grit yard building to insulate and heat the structure. The two lowest quotes were Envirofoamtek for insulation and H.T. Lyons for heating, adding that H.T. Lyons did the electrical retrofit of the municipal building a few years ago.

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RESOLUTION #60-15
(Pay to Play – H. T. Lyons)

WHEREAS, the Township of East Amwell has a need to acquire the installation of a gas fired heating unit with wiring and ductwork for the storage garage as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is less than one year; and

WHEREAS, H. T. Lyons has completed and submitted a proposal dated 1-23-15, indicating they will provide one gas fired heating unit with wiring and ductwork and for \$34,980.00; and

WHEREAS H. T. Lyons has completed and submitted a Business Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of East Amwell in the previous one year, and that the contract will prohibit H. T. Lyons from making any reportable contributions through the term of the contract; and

WHEREAS, the East Amwell Township CFO has certified the availability of funds in the amount of \$34,980.00, per N.J.A.C. 5:30-5.4;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of East Amwell authorized the Township Administrator/QPA to enter into a contract with H. T. Lyons as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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RESOLUTION # 61 - 15
(Pay to Play – Envirofoamtek)

WHEREAS, the Township of East Amwell has a need for the installation of closed cell spray foam insulation and 15 minute thermal and ignition barrier paint sprayed on all exposed foam for the storage garage as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the Qualified Purchasing Agent has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is less than one year; and

WHEREAS, Envirofoamtek has completed and submitted a proposal dated 3-11-15, indicating they will provide closed cell spray foam insulation and 15 minute thermal and ignition barrier paint sprayed on all exposed foam at a cost of \$35,750; and

WHEREAS Envirofoamtek has completed and submitted a Business Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of East Amwell in the previous one year, and that the contract will prohibit Envirofoamtek from making any reportable contributions through the term of the contract; and

WHEREAS, the East Amwell Township CFO has certified the availability of funds in the amount of \$35,750.00, per N.J.A.C. 5:30-5.4;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of East Amwell authorized the Township Administrator/QPA to enter into a contract with Envirofoamtek as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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

6) Road Closure for Repair on Lindbergh Road: Mr. Matheny explained that Lindbergh Road has severe damage from the crest of a hill south to Peacock's, and the DPW Superintendent is recommending closing the road for two days from 9 a.m. – 2 p.m. to complete the repair. The ordinance requires signage to be posted at the site. Additionally, the Township Committee recommended that letters be sent to property owners on Lindbergh Road in the vicinity of the closure. Mr. Matheny will check with Raritan Township to obtain the signs. Motion by Mr. Van Horn, seconded by Mr. Mathews, and carried unanimously to approve the road closure on Lindbergh Road.

NEW BUSINESS

DISCUSSION ON DRAFT ORDINANCES FOR ABANDONED AND FORECLOSED PROPERTIES (See 4/2/15 draft ordinances prepared by Attorney Cushing)

Mayor Wang-Iverson explained that the draft ordinances are being provided for review tonight as a first reading. He suggested that the Committee members read the proposed ordinances and mark them up.

Deputy Mayor Sageser and Mr. Mathews asked why the ordinance was being considered since the unfit ordinance was adopted. Mr. Cushing explained that the unfit building ordinance created a tax lien, which was the primary role of that ordinance. This ordinance is authorized by legislators to deal with foreclosures during the recession. The ordinance requires a registration of abandoned or vacant properties unless they are up for sale. The properties must be registered within 60 days of becoming vacant and an agent designated to get notices from the Township and receive service of process. The Township has more ability to get control of a situation, either on the exterior or interior, with it being debatable whether the Township would want to be concerned with interiors. Mr. Cushing mentioned another section of the ordinance that the Township may not wish to include, i.e., maintenance of an abandoned property list – this is more for an urban environment. Mr. Cushing explained that this ordinance was taken from another town with East Amwell's name put on it; he also mentioned a fee schedule to be incorporated, suggesting that the fees only cover administrative costs and to be used to discourage banks from keeping the abandoned properties.

Mr. Mathews asked who assigns the agent; Mr. Cushing said the property owner. Mr. Mathews asked if the fees could be tied to a lien, similar to the unfit building ordinance. Mr. Cushing said no, and the unfit building ordinance has the tax lien per statute.

Mr. Van Horn asked about the number of abandoned buildings in the Township; Deputy Mayor Sageser spoke about the definition of a vacant building, and by default falls to the bank's problem. Mr. Cushing said that this ordinance was for bank owned property. Mr. Van Horn did not believe that the banks would pay any fees. Mayor Wang-Iverson commented on not having an administrative fee for registering the properties, and Mr. Van Horn commented on property owners who cannot afford to do anything to their properties.

Further comments were exchanged about the ordinance, and Mr. Cushing agreed to cut back on the lists and postings in the ordinance and send it to the Clerk for distribution. Committee members will make their mark-ups and return them to the Clerk to be forwarded to the Attorney. He will try to merge both ordinances into one.

Mr. Mathews commented on an ordinance beyond a safety issue of the Construction Code; Mr. Cushing said it was for vacant buildings so that nuisance problems could be addressed. Mr. Mathews thought that the fees were reasonable. Mr. Cushing spoke about the administrative fees for service and following rule collecting fees for administrative services by actual cost. Mr. Van Horn doubted that banks would pay the fees at all. Deputy Mayor Sageser suggested tying the fees to service, e.g., lawn maintenance fees, etc.

Mr. Cushing also commented that while researching these ordinances, he discovered that the Township does not have a standard default penalty ordinance; he believes that the Township should have one and will prepare one for a future meeting.

AMWELL RIDGE CEMETERY – DETERIORATED BUILDING CONDITION AND OPTIONS TO ADDRESS

Barbara Salama was in the audience at this time. Mayor Wang-Iverson spoke about a request from Ms. Salama about an abandoned property next to the cemetery. The Mayor talked to Tax Collector Hyland, and the current owner of the property is deceased. The Township holds the lien on the property, and the Mayor did a site visit – he believed that the property needed to come down. The Tax Collector advised that the Township owned the lien, and the Mayor said that the Township could do the work. Mr. Cushing cautioned that the Township did not own the title to the property, and the next step would have to be a foreclosure. He also cautioned that the Township would not want to take ownership without an environmental assessment.

Mr. Cushing continued that under the law, a private party would have to wait two years after the tax sale to begin the process, but the Township could foreclose in a year. If the Township takes ownership, they could demolish the building, using caution with environmental concerns such as asbestos, oil, etc. In order to foreclose, a title search would be necessary to identify anyone with an interest in the property. Additionally, the Tax Assessor should determine the value of the property, and the Township should get an estimate for demolition of the building.

Ms. Salama spoke about the condition of the building, including evidence of vandals, damage to the cemetery walls, and she mentioned her concerns of potential damage to the cemetery and tombstones if the building falls. She commented on the owner of record living in the house when it “was in bad shape.”

Mr. Cushing commented on having no private bidders for the tax sale as an indicator that there is not much equity in the property. The Mayor said that this matter would be revisited later. Ms. Salama asked if there would a status update at the next meeting. Some further comments were exchanged, and Mr. Cushing said that if the Construction Official found it to be an imminent hazard, there may be a different route. Mayor Wang-Iverson said that Ms. Salama had his contact information for further information.

Mr. Cushing left the meeting at this time.

MAYOR’S ATTENDANCE AT THE CONFERENCE OF NEW JERSEY MAYORS’ SPRING CONFERENCE

Mayor Wang-Iverson wanted to advise the Township Committee that he was interested in attending the NJCM conference since he felt that there were some important sessions, including COAH, abandoned buildings, shared services, etc. The cost for the conference is \$500, and he wanted to make sure that the governing body was on board with this. Mr. Mathews felt that if there were funds in the current budget, the Mayor should attend. There were no other comments about this.

OPEN TO THE PUBLIC

The meeting was open to the public for comments; there being none, motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously to close to the public.

ADMINISTRATIVE REPORTS

CFO Pasqua provided the bills of the evening. Motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously to approve payment of the bills.

Treasurer’s Resolutions:

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RESOLUTION #62-15

WHEREAS, the Department of Public Works Superintendent of the Township of East Township has approved the refund of the following driveway bond,

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

Applicant	Amount of Refund
Harry Feller	\$1,500.00

By Order of the Township Committee,

David Wang-Iverson, Mayor

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RESOLUTION #63-15

WHEREAS, the Board of Health of the Township of East Township has approved the refund of the following unused food permit for the 2014 Harvest Fest,

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

Applicant	Amount of Refund
Ice Cream Parlor	\$75.00

By Order of the Township Committee,

David Wang-Iverson, Mayor

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

Tax Collector Hyland provided her March 2015 report.

Tax Collector Resolution:

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RESOLUTION #64-15

WHEREAS there has been a redemption made for Tax Sale Certificate #201202, Block 11, LOT 17, 29 John Ringo Road Road, sold on October 11th 2012 to Tadeusz Dabrowski and,

WHEREAS the amount of \$10,748.82 has been collected from Amos Financial, mortgage holder for the redemption of this Tax Sale Certificate #201202,

THEREFORE, BE IT RESOLVED that a check in the amount of \$10,748.82 be prepared and the Mayor, Treasurer and Clerk be authorized to sign this check and that it be mailed to :

Tadeusz Dabrowski

329 Durham Ave
So. Plainfield, NJ 07080

By Order of the Township Committee,

David Wang-Iverson, Mayor

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

DPW Silverthorn provided the March 2015 Road Report.

There were no reports from West Amwell Police or the NJ State Police.

CORRESPONDENCE

Mr. Mathews referenced the March 2015 letter from Assemblyman R. Auth regarding proposed legislation A-4235, the Transparent Tax Act of 2015 and asked for support of the resolution.

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RESOLUTION #65-15

WHEREAS, Assembly Bill No. A-4235 supplementing Chapter 4 of Title 54, R.S.54:4-65 and designated the "Transparent Tax Act of 2015" is being considered for adoption by the New Jersey State Assembly; and

WHEREAS, the amendment would permit the local jurisdiction to print separate tax bills to each taxpayer, one showing the amount of property taxes due and payable for municipal tax purposes, the other shall state the amount of property taxes due and payable for county purposes, school purposes, fire district purposes, and for the purposes of any other special district on behalf of which the municipality collects property taxes; and,

WHEREAS, both bills shall include a brief tabulation showing the distribution of the total amount to be raised by taxes; and

WHEREAS, A-4235 would require the municipal tax collector to send notice of the pro rata share, if any, of the property tax appeal refunds paid by the municipality during the tax year to the county, school districts, and fire districts for inclusion in their annual budgets;

WHEREAS, in the following tax year in which the refunds were paid, the municipal tax collector is then required to deduct the applicable pro rata share of the property tax refund from the amounts to be paid to the county, and each school and fire district; and

WHEREAS, these amendments, if adopted, will assist the general public to understand the tax bill, the structure of the taxes, and the level of support for each agency, and will further provide a more equitable structure to share the obligation of paying approved tax appeals as the title states, creates transparency in the tax supporting local assessments.

NOW, THEREFORE, BE IT RESOLVED by the Mayor the Township Committee of the Township of East Amwell, County of Hunterdon, and State of New Jersey, hereby supports Assembly Bill A-4235 amending Title 54:4-65 and urges the Legislature to approve and pass the bill for the reasons expressed herein; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the members of the NJ State Assembly, the members of the NJ Senate, and the Governor of the State of New Jersey, the New Jersey State League of Municipalities, the Municipal Clerks' Association of New Jersey; and all Hunterdon County Municipalities.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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

ADJOURNMENT

There being no further business, motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously to adjourn the meeting at 10:28 p.m.

Teresa R. Stahl, RMC/CMC
Municipal Clerk