

The regular meeting of the East Amwell Township Committee was called to order at 7:30 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 Leslie Parikh 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 a motion adopted on December 11, 2014, and a resolution adopted on January 7, 2015, with a meeting notice published in the Hunterdon County Democrat issue of December 18, 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 January 5, 2015.

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

### **AGENDA REVIEW**

The CFO will not be present this evening for an update. She will, however, attend the February meeting.

Under Administrator's Report – Probationary Status Change for Maria Prendamano will be addressed at the next regular meeting – input from chairmen of her committees is still being obtained.

As New Business, a request for a resolution to have the Historic Preservation Committee look into digitization of township records will be added

For the record, there is no bill list for this meeting since there was one provided at the December 30, 2014, meeting.

### **ANNOUNCEMENTS**

A. The 2015 Images of East Amwell Calendar, a joint effort of the Historic Preservation Committee and the East Amwell Historical Society, is available, free to the public, at the municipal office.

B. The 2015 reorganization dates for boards and committees are listed on the Township's website.

C. Christmas Trees can be dropped at the grit yard during regular business hours and the first Saturday in January from 9 a.m. – noon. Trees must be untrimmed.

D. West Amwell Township is now accepting all construction applications for East Amwell Township as part of the shared service, effective January 1, 2015. Please check the East Amwell Website for contact information and hours of operation.

E. The annual rabies clinic will take place on Saturday, January 17, 2015, from 1 – 4 p.m. at the Township Garage. See the website for more information.

F. Municipal Offices will be closed on Monday, January 19, in observation of Martin Luther King Junior's Birthday.

### **APPROVAL OF MINUTES**

December 11, 2014, Regular Minutes were approved on a motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously with a correction on page 5, seventh paragraph, change "Mr. Mathews" to "Deputy Mayor Wang-Iverson."

December 11, 2014, Executive Minutes were approved on a motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously.

December 30, 2014, Special Minutes (Interviews) were approved on a motion by Deputy Mayor Sageser, seconded by Mr. Miller, and carried unanimously with a correction on page 1, paragraph four, line one, change “with” to “in front of.”

December 30, 2014, Regular Minutes were approved on a motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously with a correction on page 3, fifth paragraph, change “Mr. Mathews” to “Mayor Sageser.”

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

The meeting was open to the public for comments. There being none, motion by Mr. Van Horn, seconded by Mr. Miller to close to the public

#### **SPECIAL DISCUSSION**

##### **VILLAGE STUDY- Update from Planning Board Chairman Don Reilly**

Mr. Reilly said that he was very happy to be present and provided the following update. The genesis of the study came from the Township Committee since a lot of concerns and issues about the village were brought from the residents. The Township Committee requested that the Planning Board look at the issues, and they polled the residents to address them. The goal of the study was to provide short and long actionable recommendations for improvement and enhance the residences and businesses in the village with the object to improve the quality of life in Ringoes. Mr. Reilly said that the study was self-explanatory, and he would not read line-by-line; he said that the Planning Board worked on the issue for over a year.

The strategy for information gathering included developing a sub-committee, which David Wang-Iverson chaired, and it included village residents, Township Committee and Planning Board members. Their charge included outreach in the community and obtaining information, which was done through surveys to residents and businesses (including hand-delivering them to village residents and businesses). There were over 60 responses. There were two public, well advertised meetings in May, one at the municipal building and one at Kirkpatrick Church with about 20 people at each meeting. Concerns were of a consistent theme, i.e., maintenance of buildings, traffic concerns (including volume and speed), pedestrian safety, parking issues, community space, and need for a focal point, with the loss of the library being considered a loss to the community, and there was a desire to have it back. After input, the Planner developed a draft study shared with the Planning Board in September, provided for a public hearing (not well attended) in October, and continued public hearing in November, with better turn out and good feedback. The planner modified the report, and the Planning Board received it in December; it is now before the governing body.

Mr. Reilly offered some highlights, as follows: the Planning Board recognizes that some goals are short term and doable, but some need significant effort and are not simple. State and County roads are arteries, and the Township has no control. The Planning Board did engage the State and County about a number of things to address traffic in the village, recognizing that Route 579 is a main and voluminous artery for the County – the Planning Board would like to see traffic calming devices considered. The Planning Board strongly recommends a concerted effort of the Township Committee and the Planning Board engaging the State and County to consider options; resident volunteers and local residents who have great interest in participating should be included in these discussions. Mr. Reilly spoke about momentum being established and having the governing body spearhead and leverage what was accomplished with outreach in the community during the past year.

Recommendations include the development of an unfit building ordinance to address maintenance issues, with the Planning Board cautioning the Township Committee to make sure that it addresses enforceable issues with clear objectives (without getting into areas such as high grass, etc.). Traffic calming and safety issues are important, and engaging the County and State in serious dialogue to address areas such as the intersections of Route 579 and Route 179 is a recommendation; the Planning Board will assist with this dialogue, if asked. Mr. Reilly said

that the State of NJ Department of Transportation (NJ DOT) has a complete streets policy, with the State encouraging safety for pedestrians, bike traffic, etc. The State has some recommendations that have been applied elsewhere, but these recommendations have a cost associated with them, and funding must be considered, e.g., grants as an option. Mr. Reilly hoped that the engineer and County would provide guidance on these issues, adding that the County Planning Board has offered to work as a liaison, if necessary.

Zoning recommendations may be considered, and the Planning Board, along with assistance from the State and County, will update the circulation and pedestrian elements to the Master Plan. They will expand with greater flexibility uses within the two main zones in the village, the residential area and the business district. This will involve a potential impact on COAH, which will have to be addressed, including limiting factors, e.g., lack of infrastructure, all septic and well, etc. Mr. Reilly commented on "a challenge to be addressed," and involvement of the village and community self-help. He added that having the library returned was also important, and he applauded the Township Committee's work on doing this. He said that funding and grant money for local assistance to enhance the village was important, suggesting that a 501C3 might be considered.

Mr. Reilly concluded that someone has to take the lead on this, and the Township should take advantage of the momentum of community interest, adding Chris Cobb (a business owner) wants to help and other local businesses are interested. He noted that Kirkpatrick Church is also interested. He added that some residents/businesses are more engaged than others, but the more involvement of residents, he believed the more effective the Township would be in their efforts. Mr. Reilly mentioned that both the Mayor and Deputy Mayor were involved in the process and witnessed the work.

Mayor Wang-Iverson asked to identify the members of the subcommittee; they included Kat Cannelongo, Maria Souza, Joan Stevens, and Will Harrison, along with David Wang-Iverson, Dart Sageser, Don Reilly, and the Planner. On a question from the Deputy Mayor, Mr. Reilly said that this issue is on the January Planning Board agenda, and they will create a subcommittee to follow up; this will be a resource for the Township Committee and the community.

Mr. Mathews commended the work done on this issue, and he asked about the appetite for infrastructure, i.e., how much to accept and the consequences of it. He also asked about interested private citizen and entrepreneurs and what would inhibit them from investing in properties in the village area, e.g., failed septic or "bigger than that." Mr. Reilly did not know, adding that areas like Raritan Township and Flemington are struggling with the same thing, although they have the advantage of a more dense population and lots of infrastructure. He also said that there are a lot of fallow commercial buildings around. He added that the vision is not to create a center in Ringoes or the creation of a large commercial expansion; the intent is to create an area for local residents, and the existing infrastructure only permits so much.

Deputy Mayor Sageser suggested that the Planning Board budget include funds for the Planner and experts to continue work on this area. The Planner is already looking at what to factor into the scope of the traffic study, and Mr. Reilly will follow up with the Planner and Engineer for anticipated costs. He again noted the "buy in" from the community and the need to progress as much as they can. Further comments were exchanged between Mr. Reilly and Deputy Mayor Sageser, including having the study done within budget, engaging the County and State on modifications in the area, etc.

Mr. Mathews asked about the next steps with the County and State. Mr. Reilly suggested starting with the County, and they will help with the State, adding that the engineer would also assist. He mentioned the County's artery with the greatest flow, adding his belief that the County's opinion is that this is a local issue, and they would want to know that it is community supported.

Mr. Mathews asked specific questions about the survey (results available in the report), and further comments were exchanged between the governing body and Mr. Reilly, including the intent to develop the area as a walkable community, addressing parking, traffic, sidewalks, etc., and having the library return to the area, etc. Mr. Reilly concluded that the Planning Board will develop a subcommittee to assist the Township Committee in their efforts. Deputy Mayor

Sageser mentioned looking into radar signs, which Mr. Reilly believed that Chris Cobb would appreciate; the West Amwell monthly police report also shows more presence in the village area.

CONSENT AGENDA ITEMS - None

**INTRODUCTION OF ORDINANCES/PUBLIC HEARINGS**

**Introduction of Ordinances:**

ORDINANCE 15-01 – CAP ORDINANCE

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**TOWNSHIP OF EAST AMWELL**

**ORDINANCE #15-01**

**2015 MUNICIPAL BUDGET APPROPRIATION LIMITS**

**AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A.**

**40A: 4-45.14**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% or the Cost of Living Adjustment (COLA), whichever is less, unless authorized by ordinance to increase it by up to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

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

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

**WHEREAS**, the Township Committee hereby determines that a 1.5% increase in the budget for said year, amounting to \$23,620.59 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

**NOW THEREFORE BE IT ORDAINED**, by the Township of the East Amwell, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Township of East Amwell shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$55,114.72, and that the CY 2015 municipal budget for the Township of East Amwell be approved and adopted in accordance with this ordinance; and,

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

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

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

By Order of the Township Committee,

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David Wang-Iverson, Mayor

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

Introduced:

Adopted:

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A recommendation was made to have the CFO be prepared to provide an explanation of this ordinance for the next meeting.

Motion by Deputy Mayor Sageser, seconded by Mr. Mathews, and carried unanimously to introduce Ordinance 15-01.

The ordinance will be published in the January 15, 2015, issue of the Hunterdon County Democrat, and the public hearing is set for the next regular Township Committee meeting on Thursday, February 12, 2015, at 7:30 p.m.

**ORDINANCE 15-02 – AN ORDINANCE ADDING A CHAPTER ENTITLED “BUILDINGS, UNFIT” OF THE CODE OF THE TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON, AND THE STATE OF NEW JERSEY**

A motion was made by Deputy Mayor Sageser and seconded by Mr. Van Horn to introduce this ordinance.

Mr. Mathews had some comments about changes made, including having the Township Administrator as the enforcement official. Deputy Mayor Sageser explained that this change was made by the Township Attorney since the Administrator would be more familiar with the “players” and could handle the administrative work (as outlined in section A of the proposed ordinance). Mr. Mathews referenced section 4 of the ordinance that the “Administrator determines that the building under consideration is unfit for human habitation, occupancy or use....” Ms. Parikh agreed that this, adding that the Township Administrator was not the appropriate party. Mr. Mathews said that the determining official should have a law or judicial background to determine suitability, and he concluded that he had a lot of issues with the ordinance.

Mr. Miller agreed that in section 1A, making the Code Official and the Township Administrator equal “made him uncomfortable,” asking what standards were used to determine the designation. He thought that the intent was that the Code Official would do his work and the Administrator does his portion of the work, but the peer role with equal powers was not acceptable to him. Ms. Parikh said that she would bring these comments back to Mr. Cushing.

Mayor Wang-Iverson asked if the attorney was familiar with this type of ordinance in other municipalities; she said yes. He asked about number 3, with the Township Administrator running hearings, and she agreed to look into this item. Ms. Parikh commented on ordinances being developed because of the new foreclosure regulations, and she will look into other ordinances to see if the Township Administrator oversees. Mayor Wang-Iverson mentioned that nothing could happen unless the Code Official issued a violation notice; Ms. Parikh commented on a determination of an unfit building or a need to demolish an abandoned building without notices of violation, which she believed that the Administrator could do, with or without the governing body approval.

Mr. Van Horn spoke about item 3, regarding the statement “at the discretion of the Township Administrator, the Township Attorney may attend such hearing to provide legal advice.” He did not want this determination to be up to the Administrator. Deputy Mayor Sageser did not disagree, but he believed that the likely issue would be hearings where it is established that the owner is not a viable entity and the Code Official will be advising that the dwelling is uninhabitable. The Deputy Mayor also assumed that the Township Administrator would be seeking counsel’s presence. Mr. Van Horn then cited section 4C about removal and demolition of the property.

Some discussion took place about all members having comments that should be collated. It was eventually agreed that each member would look at the current version of the ordinance and return it to the Clerk, who will in turn, forward them to the Township Attorney before the next meeting.

Ms. Parikh agreed that the duties of individuals listed in the ordinance were not interchangeable.

Mr. Mathews spoke about the general tone of the ordinance, hoping that the Administrator is an advocate for the residents, and with outsourced construction, the Township is the place for residents to get fair support. He was concerned that the Administrator should not be put in the position of judge and therefore, not an advocate. Deputy Mayor Sageser commented on the code being cited for violations and rights to appeal to the Code Official for specific code violations, e.g., broken windows, broken stairs, etc. Mayor Wang-Iverson agreed that code violations for health and safety are not the Administrator’s purview; that employee would organize the hearings, and if residents needed more time or there were extenuating circumstances, the Administrator would assist the resident. Ms. Parikh also said that the municipality had an option to hire a hearing officer as a unbiased, third party official.

Mr. Mathews spoke about addressing a gap regarding the code officials’ handling of a situation and how to address it if he/she doesn’t do it. Mayor Wang-Iverson spoke about the ability to assess a tax lien with an option to appeal. Further comments were exchanged between the governing body members, and Ms. Parikh added that the statute allows for due process hearings. She also mentioned another gap regarding abandoned buildings and whether there should be notices or not.

Mr. Mathews also asked about the severability section in 3; Ms. Parikh said this was standard language. Ms. Parikh said that she did not draft this ordinance, but she would review to make sure that there were no inconsistencies with other ordinances, as noted in this section.

Deputy Mayor Sageser withdrew his motion to introduce; Mr. Van Horn seconded this. Comments will be provided individually to the Clerk within two weeks, and she will forward them to Mr. Cushing and Ms. Parikh.

#### **SPECIAL COMMITTEE REPORTS – None**

#### **STANDING COMMITTEE REPORTS - None**

#### **UNFINISHED BUSINESS**

1) Posting of Zoning Officer Position and Appointment (discussion in Executive Session Prior to Action): For the record, a Rice Notice was provided to Richard McManus and he requested discussion in open session. Mayor Wang-Iverson previously spoke with Attorney Cushing about the issue, and it was decided to start with a statement from Mr. McManus first, then discuss within the Committee, and attempt to make an appointment. Mr. Mathews asked about discussing applicants in public; there were three applications which were provided at the meeting to the governing body with the request to return them to the Clerk after discussion.

Mr. McManus was present, and he provided a memo to the governing body yesterday, objecting to proceeding with the discussion tonight. He said that under the Township Committee form of

government, the Mayor does not have the independent executive power to put a job posting in place. He added that this was first raised at the December 11<sup>th</sup> meeting but upon the Attorney's advice it was continued until the December 30<sup>th</sup> meeting. At the December 30<sup>th</sup> meeting, when he objected, the motion was tabled without vote, which he said was a deficient process. He concluded that the process was "void ab initio," or tainted from the start. He recommended that the Committee post the job and have the discussion start again.

Mr. McManus stood by his original memorandum and the reasons for proceeding with the posting of the position. He also wanted to mention the addendum to the employment posting of the qualities of the Zoning Officer. He explained that the Zoning Officer has independent powers and does not function as a staff member. He has to make decisions of action in the context of federal, state, and local law and make interpretations based on statutes, legislation, and zoning decisions of the Board of Adjustment and Planning Board with respect to issues. He added that this has certainly happened on many right-to-farm issues, and he said that his objection two years ago to the tree harvesting ordinance directly interfered with any discretion he had. He further explained that he objected for over a year but his objections were ignored, and he was charged with dealing with an "impossible enforcement program." Mr. McManus said that the NJ Department of Environmental Protection (DEP) had addressed the tree harvesting issue, and there was a program and grant to do a study by a professional arborist and then adopt an ordinance based on the study, which could be enforced in Superior Court rather than Municipal Court and would entail replanting. Mr. McManus took his objections to the press, and there was some embarrassment on the municipality's part. He said that he didn't hear anything for more than a year, and there were no complaints. There were also "no activities effective by the ordinance." He spoke last spring with Planning Board Chair Don Reilly regarding the Village Study and right-to-farm issues, and all planning/zoning issues which he has a professional interest in, and he was told that the Township would not be looking at the tree harvesting ordinance until sometime in the future.

Mr. McManus said that the job posting came as a complete surprise, and "no one said anything to me about this issue ... and no complaints." He commented on a potential problem of leaving it to the Township Committee or Administrator to look at permits. He said that he enjoyed the six years he worked here, he likes the people he works with, and he would like to continue. He believed that his background and qualifications "speak for itself."

Mr. Mathews wanted to ask a question, and Mayor Wang-Iverson said there would be no questions. Mr. Mathews asked for clarification, i.e., was Mr. McManus an employee. He was told that Mr. McManus was hired for a statutory position hired annually, although he is an employee. Mr. Mathews commented about appropriate reviews being made and what would foster an employment status; Ms. Parikh commented on a reappointment process, i.e., if there is a new Zoning Officer considered, that is why an appointment happens.

Deputy Mayor Sageser said that Mr. McManus has independence for official interpretations of the ordinance and the Township cannot direct him. Mr. Van Horn said that the position is not a tenured one. Mr. Mathews said that he is an employee, and this was terminating an employee; Ms. Parkikh said that it was reappointment of an officer, i.e., yearly you have to appoint one and this is not termination under that interpretation. Mr. McManus was not disputing the one year appointment, but he was concerned that the former Mayor unilaterally made the determination to appointment another Zoning Officer, and this was not done by the governing body. He suggested restarting the process. Mr. Mathews asked the attorney about this; Ms. Parikh said that a vote to post is not required and it is more of an administrative issue. Mayor Wang-Iverson agreed that there should be a vote on hiring, but not on posting.

Ms. Parikh spoke about ministerial acts that occur and no need to vote on postings. She did not agree with Mr. McManus's interpretation that the process was "void ab initio." She concluded that the Township Committee could make an appointment if they wanted to do so, or if they had concerns, they could reappoint Mr. McManus for 30 days and repost.

Mayor Wang-Iverson spoke about Mr. McManus's 12/29 memorandum accusing the Township of retaliation and termination as payback, but he pointed out that the tree ordinance was enacted in 2012 and Mr. McManus was appointed in 2013 and 2014 as Zoning Officer. He also noted that three of the current sitting Township Committee members were not involved with the tree harvesting ordinance, and there has been no discussion of that ordinance over the past few years.

Mayor Wang-Iverson said that the position is a one year appointment. The Township was examining its options and seeing what other candidates were available and the position was posted. There are three qualified applicants, i.e., Richard McManus, Peter Kneski, and Michael Mullin. Mayor Wang-Iverson believed that it would be beneficial to consider Peter Kneski since he was highly qualified, worked for 30 years in Princeton, was Zoning Officer for East Amwell for 8 or 9 years in the late 1980's and early 1990's, has served on the Planning Board and was Board of Adjustment Chair for a couple of years, spent 6 years on Township Committee, and is a resident of East Amwell Township. A key factor is that he is aware of what the Township is attempting to do with the zoning laws, and as a resident, will listen to resident concerns and address them appropriately. Mayor Wang-Iverson believed that Mr. Kneski would be a superb Zoning Officer, and there was nothing personal with Mr. McManus. The Mayor said that Mr. McManus's objections in the 12/29 memorandum do not stand up to the facts. The primary reason to consider Mr. Kneski is that he is highly-experienced, is a resident, and having a resident's perspective is valuable.

Deputy Mayor Sageser seconded the Mayor's observations and agreed with him; he believed Mr. Kneski to be well qualified, served as Zoning Officer in the past, and would reinforce "a sense of community."

Mr. Matheny said that he checked with two references from Princeton; they found Mr. Kneski to be "knowledgeable, experienced, a good listener" and "works successfully with people."

Mr. Matheny also spoke with Mr. Mullin in a telephone interview. He has one full time position and two part time positions, and it would be impossible for him to be here on Thursdays during the day. It was Mr. Matheny's recommendation that the Township appoint Peter Kneski as the Zoning Officer for 2015.

Mr. Mathews agreed that Mr. Kneski is well qualified, and he enjoyed working with him as Mayor, agreeing that he was fair and is a resident. He commented on the previous officer, if he was leaving because of retirement and an opening was available. He commented on Mr. McManus doing a good job, having no reports of performance issues, and it being "tough to sever a relationship and replace someone doing a good job."

Ms. Parikh suggested discussions on the third candidate being made in executive session. Mr. McManus said that he was the only candidate who was an employee, and he wished the discussions to be in public session, adding that the other two candidates do not have the power to request open or closed session. He disagreed that the Township had the authority to discuss qualifications in executive session. Ms. Parikh raised her concern about getting into issues relating to the current Zoning Officer and discussing applicants' merits that should not be discussed in public. She agreed that Mr. McManus received a Rice Notice about his issues as Zoning Officer, but beyond that, the discussions could be in executive session. Mr. McManus again stated as an employee, he had a right to ask for discussions in public and the hiring decision is not a separate discussion, again asking that the discussion be in public. Ms. Parikh said only issues pertaining to Mr. McManus, should the discussion be in public. Mr. McManus said that discussions relative to his merits versus the two other applicants should be in public. On a question from Mr. Mathews, Ms. Parikh said that she did not agree with Mr. McManus's interpretation on the Rice Notice issue, i.e., as an official he has the right to public session, but it does not extend to the other individuals. Mr. McManus argued that by going into executive session, the Township Committee would be in violation of the Open Public Meetings Act. Ms. Parikh disagreed, adding that resumes and information on the other candidates should not be in open session.

Mayor Wang-Iverson said that the Township Committee would follow advice of counsel and would enter executive session when other items on the agenda were finished.

## **NEW BUSINESS**

REQUEST FROM HELL OF HUNTERDON FOR BIKE RACE THROUGH EAST AMWELL TOWNSHIP ON MARCH 21, 2015 – USE OF VARIOUS ROADS

Brian Ignatin, 2816 Windy Bush Road, Newtown, PA, was present to make this request. He stated that the route is identical to last year’s route with a different starting and finishing point in Lambertville. The route also takes riders through Montgomery Township. The group has been doing this race for seven years, but it only started notifying municipalities a few years ago. Mr. Mathews asked if port-a-potties were used at a station on Mountain Road last year; Mr. Ignatin said yes. He was advised that there is an ordinance covering the use of port-a-potties, which he will review. He was also unclear whether there would be an aid station located in East Amwell this year.

This particular group uses removable markers, no permanent markings. And the group makes sure to clean up the roads after the ride, and they have also participated in the Township’s Roadside-Clean Up.

Motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously to approve the use of Township roads for Hell of Hunterdon on March 21, 2015.

RESOLUTION FOR THE DIGITIZING OF TOWNSHIP RECORDS

Based on discussions at the last meeting, a motion was made by Mr. Van Horn and seconded by Deputy Mayor Sageser to approve a resolution authorizing the Historic Preservation Committee to look into the digitization of township records. Mr. Mathews asked why a resolution was necessary. Mayor Wang-Iverson said it was to formalize items and criteria to be considered and have the Township Committee make the recommendation. Mr. Mathews suggested that consideration of a shared service with Hunterdon County would be appropriate. Deputy Mayor Sageser said that plan was a good idea, but there were “a lot of unknowns” - he supported the Historic Preservation Committee looking into it. Mr. Van Horn agreed that a plan for shared service and authorization to pursue grants should be part of the plan. Mr. Mathews suggested amending the resolution to say that the plan should address the process and consider a shared service.

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**RESOLUTION # 22-15**

WHEREAS, there has been a suggestion at a recent public meeting to digitize township records and

WHEREAS, the historic value of improved access may be beneficial, the cost, archival handling and management may be significantly more demanding than available resources can accommodate and

WHEREAS, such documents and records are the responsibility of the Township Clerk who is fully engaged in current responsibilities and has no time or budget available for historic archival activities,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of East Amwell, Hunterdon County, New Jersey as follows:

1. The East Amwell Historic Preservation Committee is requested to take this expression of interest under advisement with the understanding that this volunteer committee has a number of important priorities currently underway which may be of greater interest and importance to the community including the inventorying of the Edward Quick Collection, the inventorying of historic structures within the Township and the establishment of recommendations for standards in the historic villages of East Amwell.
2. Should the Historic Preservation Committee determine that the digitization of township records would be of significant historic interest to the community the Township Committee requests that such affirmation be accompanied by a detailed plan including the estimated cost for implementation, potential funding sources and future maintenance. The plan should address the process for the secured access to important public records, means and methods for handling, digitization, re-filing and access protocols.

Additionally the plan should address the end product and its management and on-going accessibility to the public.

- 3. When the process is being developed, a shared service with Hunterdon County may be considered.

By Order of the Township Committee,

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 David Wang-Iverson, Mayor

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 Mr. Van Horn amended the motion, seconded by Deputy Mayor Sageser, and it was carried unanimously.

**EXECUTIVE SESSION**

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**RESOLUTION #23-15**

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 personnel and receive attorney advice; and

WHEREAS, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then minutes can be made public;

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

By Order of the Township Committee,

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 David Wang-Iverson, Mayor

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

There was a two minute break, and executive session began at 9:28 p.m.

The regular meeting resumed at 9:48 p.m.

**UNFINISHED BUSINESS, Continued**

**ZONING OFFICER POSITION APPOINTMENT:**

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**RESOLUTION #24 -15**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby appoint Peter Kneski as Zoning Officer of East Amwell Township for 2015, and he will keep the current Zoning Office hours of Tuesday, from 4:30 p.m. – 8:00 p.m. and Thursday, from 1 – 4 p.m.; and

BE IT FURTHER RESOLVED that the 2014 Salary and Wage Ordinance be amended to remove the name of Zoning Officer McManus Salary of \$12,941 and replace it with Zoning Officer Kneski Salary of \$12,941.

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 with one no vote from Mr. Mathews.

CONTINUED DISCUSSION ON COMCAST RESPONSE TO INCIDENT ON VAN LIEUS ROAD/CLOSING OF ROAD (SEE 12/11/14 MINUTES FOR BACKGROUND):

Mr. Matheny said that he finally received an update from Molly Adams at Comcast late this afternoon. In condensed form, there was a change over with software during the time of the incident and there was a breakdown in communications with the Comcast personnel. It was also noted that DPW Superintendent Silverthorn tried to call Rob Clifton at Comcast, and there was no response.

WEST AMWELL TOWNSHIP CONSTRUCTION OFFICE UPDATE

Mr. Van Horn asked about the status of open permits, which were formerly going to stay with Raritan Township; he understood that they were now in West Amwell Township. Mr. Matheny commented on a discussion with the Construction Official (CO) at Raritan Township. He told the CO that Raritan was holding permits for a full 21 days before approval/disapproval, and the long response time was a problem for our residents. Additionally, it was noted that the State advised both Raritan and West Amwell that it was up to them to decide who would handle permits opened in Raritan Township. The CO personally brought the open permits to West Amwell Construction Office, and all permits are there now. West Amwell uses different software, but both municipalities use the same filing system. West Amwell also requested copies of tax maps from East Amwell, and the Construction Office is in full operation. Further comments were exchanged, including the following: Mr. Van Horn will advise the School that there open permits are now at West Amwell; Raritan Township retains all the fees for permits opened there but sent to West Amwell for inspections and close out; it was unclear about the volume of open permits from Raritan Township that was transported.

Ms. Parikh left the meeting at this time (just before 10 p.m.).

RADAR UNITS FOR SPEED MONITORING

Mr. Matheny was asked to get information for these speed monitoring devices, similar to ones used in Frenchtown and other municipalities. He provided specifics, including information on an 11 inch unit with 24 hour recharge and batteries costing \$150 per. There are also AC units for a cost of \$3265, which provide charts and graphs. A solar unit is \$4,035 complete or purchase two at \$3688. Mr. Matheny explained mounting techniques for existing poles. The County was amenable to having the Township use their radar truck on their roads in the past, and Mr. Matheny did not believe that there would be a problem getting approval to use this type of device on their roads. Mr. Van Horn commented on the effectiveness of this type of device in having vehicles slow down. Mr. Mathews also commented on devices he was familiar with at his work, and there is also a device on Harbourton Road, which works on occasion. The Mayor asked about warranty information, which Mr. Matheny provided. Mr. Mathews asked about durability, and Mr. Matheny detailed this. A recommendation was made to include at least two of these units in the budget, with Mayor Wang-Iverson saying that the data would help with the Village Study. Mr. Matheny recommended the purchase of the solar type units.

OPEN TO THE PUBLIC

Frances Gavigan, 123 Wertsville Road, felt that her comments at the last meeting regarding information she was requesting were not accurately reflected in the minutes. She spoke about the trigger for this request being an OPRA request she previously made for the 1990 minutes and

the corrective/preventive action plan. She noted that she, not a committee, was asking for the size and scope of the Township records to assess the amount in order to apply for grant funding. Mayor Wang-Iverson explained that the Township Committee's resolution was a framework for the Historic Preservation Committee to consider the process. Ms. Gavigan felt that this would not preclude a private citizen from also seeking funds to digitize. Further comments were exchanged between Deputy Mayor Sageser and Ms. Gavigan about the matter. Ms. Gavigan commented on the public's access to records and obtaining information under OPRA.

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

### **ADMINISTRATIVE REPORTS**

West Amwell Radar Report for December 2014 was the only administrative report for this meeting.

### **CORRESPONDENCE**

There were no comments made.

### **ADJOURNMENT**

There being no further business, motion by Mr. Van Horn, seconded by Mr. Mathews, and carried unanimously to adjourn the meeting at 10:18 p.m.

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Teresa R. Stahl, RMC/CMC  
Municipal Clerk