

The regular meeting of the East Amwell Township Committee was called to order at 7:31 p.m. Present were Mayor David Wang-Iverson, Deputy Mayor Dart Sageser, and Committee members Charles Van Horn and Peter Miller. Committee member Tim Mathews was absent. 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, with 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 November 10, 2015.

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

AGENDA REVIEW

Two items of correspondence were added: 11/10 Status Update on Preparation of Housing Element and Fair Share Plan with Notice to Extend Temporary Immunity and 11/6 Notice from Hunterdon County Division of Public Health Services notifying that there will be no County-Administered Animal Control Officer Service offered in 2016.

ANNOUNCEMENTS

Hunterdon County will have a hazardous waste collection day on Saturday, November 14th - held at the Route 12 County Complex from 9 a.m. – 1 p.m. Contact 908-788-1110 for details.

The Recreation Committee is holding Recreational BINGO at East Amwell Township School on Friday, November 13, at 7 p.m. – The public is encouraged to attend.

Municipal Offices will be closed on Thursday and Friday, November 26 and 27, 2015, for Thanksgiving holidays.

The Township Committee will hold a special meeting at 6:30 p.m. on December 10, prior to the regular monthly meeting, to discuss the budget with the CFO.

At the recent General Election on November 3, 2015, David Wang-Iverson was elected to another three year term on the Township Committee.

UPDATE FROM THE CFO

CFO/Treasurer Margaret Pasqua announced that the refunding bond closed and at the next meeting the final payout will be made. The balance will lapse or be used for deferred charges for next year. She also met with all departments about the budget needs for 2016, and she will have something for the governing body to discuss on December 10th.

SPECIAL DISCUSSIONS

PRESENTATION FROM ELIZABETHTOWN GAS ON ISSUES INVOLVED WITH THE EXTENSION OF SERVICE Gary Marmo and Mike Uryniak from AGL Resources were present for this discussion.

Mayor Wang-Iverson thanked the representatives for their attendance, adding that some questions came up about extending the gas service in the neighborhood. He added that perhaps they could answer questions where the service runs in the village and whether it is near the school.

Mr. Marmo said that he is involved with new business development and manages accounts in Sussex, Warren, and Hunterdon Counties. In East Amwell, Elizabethtown has seven miles of main, with 246 property owners on the service. He explained that the extension of services is covered by the tariff that is regulated by the NJ Bureau of Public Utilities, adding that Elizabethtown has to treat all customers and potential customers in the same manner. The tariff allows the company to pick up customers on an annual margin, i.e., the company does not make money on the commodity - they make it on the transportation and, it depends on the size of the home and type of equipment. As an example, they took a round figure of \$500; if they take the annual margin and multiply it by 10, there's an allowance of \$5,000 for the main and service for a residence. If it goes below \$5,000, there's no additional charge; if it goes above \$5,000, they contribute to the cost.

Elizabethtown feels it is a prudent decision to regulate the service as they do. Mr. Uryniak noted that there are often phone calls from nearby developments for service. He looked at the development of 25-30 homes in the Danberry Drive area as a good example. If the company could get 20 out of the 30 homes to convert to gas, that would be 66% of the area. He provided a figure of \$7,000 per resident for the service extension, which has to be paid before the company will install. He spoke about potential for refunds if the residents decide to come off service. Mr. Uryniak said that the cost of \$7,000 for the 66% of the Danberry homes would be reduced to \$4,000-5,000 if all the homes converted to gas. The main to this site would come off of Route 514, with Mr. Uryniak adding that there were 4 or 5 customers on Van Lieus Road. Extra customers would require more main, with a cost of \$35-36 dollars a foot for the main and service line being \$20 dollars plus restoration and permits - he concluded that a new development would be a couple of thousand dollars to initiate.

Mr. Marmo explained that there is a proposal in front of the Bureau of Public Utilities to look for a way to allow potential customers to contribute over time; he added that this cost is not unique to East Amwell, and the change in tariff would benefit many.

Mayor Wang-Iverson asked about the mechanism for a resident to pursue the service; it was recommended that the residents contact Mr. Uryniak. Mr. Uryniak explained that there are about 15 - 20 residences scattered on Manners Road, and he gets several calls about service in the area. He explained that it's the same process as he described with the Danberry Road properties, i.e., an anchor customer, such as a large commercial entity, the school, or a big business, would initiate the main, and anything past the anchor would be added into the equation. He stated that just including residential properties would be a hardship in moving a significant distance. Deputy Mayor Sageser suggested that having 25 interested and willing residents approach Elizabethtown and negotiate costs would be appropriate; Mr. Uryniak felt that getting 25 residents on line would be difficult to do, and it was usually 2 or 3 residents as the driving force with others "tacking on."

Mr. Marmo again mentioned the request for the new tariff would be helpful in allowing more people to convert to gas and pay for it over time, mentioning the thousands of dollars necessary to do so. He added that it was difficult to achieve in rural areas, and most conversions are done in developments with existing infrastructures due to cost factors.

Mr. Miller mentioned additional limitations on roads, such as Manners Road, which was redone by the County. Mr. Marmo mentioned a five year moratorium after roads were repaired, adding that they can access shoulders or pavement and obtain road opening permits.

Mr. Marmo and Mr. Uryniak brought maps of their service area, mentioning that for security reasons, they could not leave the maps. They outlined their service area in detail, mentioning such roads as Old York Road, Route 179, Route 514, Route 609, and Route 31, etc. They reiterated that any phone call requests for service should be directed to them; if distances to the service is over 3 or 4 miles away, there was limited chance for connection; a new tariff before the BPU would be helpful with costs; having a critical mass to make it cost effective is important.

The Committee thanked the Elizabethtown representatives for their presentation.

STANDING COMMITTEE REPORTS

BOARD OF ADJUSTMENT UPDATE Chair Sherrie Binder was present.

Ms. Binder explained that the Board of Adjustment just had its first public hearing of the year for a grandfathered property on Back Brook Road. The 6.6 acre parcel had a well and septic with a building that was triangulated. The buyer of the property was looking for a 50 foot set back rather than a 75 foot setback for the 2400 square foot building. The Board agreed that there was a hardship, and the Board approved the application. There has been no other activity, and she commented on a “slow year” for the Board.

Mayor Wang-Iverson commented on introducing the ordinance to extend variances tonight. Ms. Binder explained that in current conditions, it is not always possible for owners to have funding and plans in place to complete their developments in one year. After speaking with the Board of Adjustment attorney, some townships do not have a time line, but the East Amwell Board of Adjustment felt that five years was sufficient. The extensions will be at the discretion of the Board, and there must be good reason.

Deputy Mayor Sageser asked how long it was since the Township gave a use variance. Ms. Binder said that they were given for Peacock’s and Princeton Hydro at the train station. She mentioned variances running with the land, adding that “building permits are the restrictions not to allow them to run forever.” She mentioned two grandfathered lots that will be affected by this ordinance, adding that the owners are trying to sell the lots.

The Township Committee thanked Ms. Binder for her presentation.

PLANNING BOARD

Mayor Wang-Iverson said that Mr. Reilly would not be present tonight, and Attorney Cushing will be giving an update on COAH.

Mr. Cushing explained that the declaratory judgment was due on December 8, but Judge Miller, who is the Judge for this area, extended the deadline for several municipalities until March 31, 2016. He did this based on the number calculations not being agreed upon, and the reports from experts not being available until Christmas. Judge Miller felt that this made sense in the vicinage for Somerset, Warren, and Hunterdon and extended the deadline if municipalities requested and were acting in good faith. East Amwell filed to extend their temporary immunity, which is returnable on November 20, based on past compliance. Mr. Cushing believed that the Judge would be granting the extension to all seven of the towns he represents. He has been in contact with the Judge’s office, and it is expected that he will make his determination after December 8. Mr. Cushing continued by saying that the Judge would not make any decisions until he saw the numbers from the municipal expert, and he believed that it made sense to ask for an extension.

Mr. Cushing said that the Township is working on the proper approach to address COAH needs without a number, and it was a challenge. The Township is exploring options with property owners to address the issue. Once the Planning Board has a firm number, the Planner will look at number adjustments, e.g., lack of sewers and water, growth in the past years, no demand by developers, etc. Mr. Cushing stated that this area is constantly evolving, noting “differences in different counties before different judges.” He added that there would be a trial in a month concerning the components of the methodology for calculation. A Master in Ocean County, Richard Reading from Princeton, disagreed with the Kinsey report’s methodology, and he will argue before the Court against a Kinsey representative. Mr. Cushing concluded that there would be “lots of battles going on.”

FARMLAND/OPEN SPACE PRESERVATION COMMITTEE

Pam Thier, FOSPC Administrator, introduced herself to the Township Committee, adding that she appreciated the opportunity to serve the Township. Mayor Wang-Iverson welcomed her, adding that the Township “was glad to have her aboard.”

1) New Jersey Conservation Foundation (NJCF) Presentation on the Higgins Project: NJCF Representatives Lisa McCollum and Greg Romano were present for this discussion. FOSPC Member Kat Cannelongo was also in the audience at this time.

Ms. McCollum said that NJCF came to this community about the project a number of years ago looking for committee support. On October 19, 2015, FOSPC gave its unanimous support for this project in the form of a resolution endorsing the project and a resolution to use the Hunterdon County Municipal Grant Program. NJCF is applying to Hunterdon County for county non-profit money.

Ms. McCollum displayed a map of the area off of Wertsville road within the boundary of Somerset County and East Amwell Township at North Hill Road. NJCF has been working with Mr. Higgins for ten years or more with his ownership of 650 acres between Somerset and Hunterdon Counties. They have been successful in Somerset County with preserving 160 acres in 2011 and 70 acres in 2015. They are also working with Bryce Thompson to preserve 350 acres in Somerset County and moving over to Hunterdon County, Mr. Higgins will be phasing in 420 acres with these three properties being considered tonight, i.e., Block 35, Lots 10, 12, and 60.

The appraisal for Block 35, Lot 10 is \$17,000 an acre for the 128 parcel and there may be another appraisal on the three lots. Applications have been made to Hunterdon County (NJCF for a 20% non-profit grant and Raritan Headwaters Association for another 20% non-profit grant), based on the \$17,000 per acre. If the Township applies for the other 10% through Hunterdon County, then 50% of the cost would come from the County, but there is not even 40% in the county funds, only \$850,000 or 33% of the price. Ms. McCollum said that there is a possibility of getting the 40% from the county but they were not 100% sure of this. They were looking to East Amwell to provide 10-15% of the cost, but they wouldn't know for sure until the non-profit application is heard and decided in January.

NJCF manages the property on the Somerset side, and it is expected that they will continue to manage the whole property as one unit.

Deputy Mayor Sageser asked about the intent to receive 50% from Hunterdon County, asking how would the other 50% be handled. Ms. McCollum said that an anonymous foundation gave a tentative commitment of \$1,000,000 in phases, i.e., \$333,000 for the first phase, along with \$100,000 of the NJCF Green Acre money, \$100,000 from another non-profit Green Acre fund, a capital campaign committed to raise \$250,000 and possibly some more Green Acre funding, and private fund raising. Ms. Thier said that the Township has \$310,000 in Green Acres funds that can apply to the approved project, adding that the property is in the Township's preservation plan.

Ms. McCollum added that there is a completion timeline of the third quarter in 2016, adding that they are working with Mr. Higgins on how the preservation works best for him.

Mayor Wang-Iverson asked if the grant applications submitted this year are for next year's allocation. Mr. Romano said that there is a balance of \$850,000 in Hunterdon County funds this year for non-profit use. The Township's portion would be an application for municipal funds for 2016.

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RESOLUTION #147-15

WHEREAS, the New Jersey Conservation Foundation and the Raritan Headwaters Association have made applications to the County of Hunterdon Open Space, Farmland and Historic Preservation Trust Fund Nonprofit Grant Program for the acquisition of 152 acres of land known as Block 35 Lots 10, 12, and 60 on the official tax map of East Amwell Township (Property) and

WHEREAS, the Property is the first phase in the acquisition of a total of 420 acres adjacent to preserved lands held by Somerset County which will create a regional preserve of over 1000 acres of land; and

WHEREAS a portion of the Property is located in the Sourland Mountain, a recognized sensitive ecosystem, and contains stream corridors contributing to trout waters of the Neshanic River and Back Brook; and

WHEREAS, preservation of the Property will protect water quality, enhance wildlife habitat, preserve the Township’s open landscape, and maintain the integrity of the surrounding preserved open space; and

WHEREAS, East Amwell Township intends to partner with New Jersey Conservation Foundation and Raritan Headwaters Association by making application to the County of Hunterdon’s Municipal Grant Program and, in addition will commit a portion of its existing Green Acres Grant funds toward the acquisition of the Property; and

WHEREAS, the Open Space and Conservation Goals of East Amwell Township’s Open Space and Recreation Plan include the promotion of public open space acquisitions which protect sensitive environmental resources including stream corridors, forests, and native vegetation, and to support and partner with State and private open space programs,

NOW, THEREFORE, BE IT RESOLVED The Township of East Amwell endorses and supports the New Jersey Conservation Foundation’s and Raritan Headwaters Association’s applications for Hunterdon County’s Open Space Nonprofit grant funding towards the acquisition of this Property.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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RESOLUTION #148-15

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

WHEREAS, the Township of East Amwell desires to further the public interest by obtaining funding in the amount of \$500,000 from the County of Hunterdon to fund the following project:

Higgin Property, Block 35 Lots 10, 12, and 60 on North Hill Road East Amwell Township at the estimated cost of \$2,584,000

NOW, THEREFORE, the governing body resolves that the Administrator of the Farmland and Open Space Preservation Committee is hereby authorized to:

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

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

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

NOW, THEREFORE, BE IT FURTHER RESOLVED, BY THE TOWNSHIP OF EAST AMWELL

1. That the Mayor of the above named Municipality is hereby authorized to execute any documents and agreements with the County of Hunterdon known as HIGGINS;
2. That the Municipality intends to contribute funding toward this project through its existing Green Acres Grant funds and through cooperative preservation partnerships.
3. In the event that the County of Hunterdon’s funds are less than the total project cost specified above, the applicant shall continue to work in partnership with others to achieve sufficient funding.
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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Motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously to approve the two resolutions for acquisition of the Higgins property.

The Committee thanked Ms. McCollum and Mr. Romano for coming to the meeting this evening and Deputy Mayor Sageser mentioned visiting the Higgins site and seeing eagles. Ms. McCollum said that NJCF would be willing to arrange tours for other governing body members, if they wished.

2) Request for Authorization to Support Ancillary Costs in the Amount Not to Exceed \$2,000 Toward a Property to be Acquired by D & R Greenway Land Trust for Mudd property, Block 34, Lot 21.05: Ms. Thier explained that the small parcel is in proximity to the recently acquired Ridge Road Assemblage, and D & R is negotiating with the property owner. They are looking for support from the Township in contributing to ancillary costs not to exceed \$2,000.

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RESOLUTION #149-15

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby authorize the expenditure of an amount not to exceed \$2,000 for ancillary costs for the Mudd property, Block 34, Lot 21.05, which is being acquired by D & R Greenway Land Trust.

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 resolution.

ENVIRONMENTAL COMMISSION

1) Request to Support Clean Water Supplies – Updated NJ Statewide Water Supply Plan, Suggesting Use of Sample Language from ANJEC: Deputy Mayor Sageser commented favorably on supporting issues involving clean water.

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RESOLUTION #150-15

RESOLUTION IN SUPPORT OF CLEAN WATER SUPPLIES

WHEREAS water is a necessary and fundamental building block of all life;

WHEREAS clean drinking water is a fundamental right of New Jersey citizens;

WHEREAS all drinking water in New Jersey is supplied by underground aquifers, rivers, and/or reservoirs replenished by rain, snow melt, or fed by rivers and streams;

WHEREAS an ample supply of clean water is critical to agricultural production in the Garden State;

WHEREAS an ample supply of clean water is necessary for a healthy economy and a robust business climate for key industries in New Jersey, such as hospitality, tourism, manufacturing, healthcare and others;

WHEREAS New Jersey’s ecosystems and wildlife rely on an adequate supply of clean water in creeks, streams, rivers, ponds, and wetlands;

WHEREAS in 2015, 12 of the 21 counties in New Jersey entered into a state of drought watch and seven drought warnings, watches, and emergencies have been declared in New Jersey since the year 2000;

WHEREAS in 1981, the New Jersey Legislature adopted Chapter 262, known as the Water Supply Management Act;

WHEREAS the Water Supply Management Act requires the development of a Statewide Water Supply Plan;

WHEREAS the Water Supply Management Act requires the New Jersey Department of Environmental Protection to update the Statewide Water Supply Plan at least every 5 years;

WHEREAS the last completed and publicly available version of the Water Supply Plan occurred in 1996;

WHEREAS, for over a decade under an outdated Statewide Water Supply Plan, land use planning and development have been proceeding in New Jersey without publicly available updated scientific or policy guidance regarding the availability of adequate water supplies;

WHEREAS municipalities depend on the Governor of New Jersey and New Jersey Department of Environmental Protection to adopt policies and regulations allocating a safe, sustainable supply of New Jersey’s water resources in accordance with the Water Supply Plan;

THEREFORE BE IT RESOLVED that the municipality of East Amwell Township respectfully requests that the Governor of New Jersey and the New Jersey Department of Environmental Protection release an update to the New Jersey Statewide Water Supply Plan immediately for public review and comment and, following such comment, finalize, adopt and implement the Plan;

AND BE IT FURTHER RESOLVED that East Amwell Township will send a copy of this resolution to the Governor’s office, the New Jersey Department of Environmental Protection and to our New Jersey Assembly and Senate members alerting them to our concerns about the lack of a current Water Supply Plan in New Jersey.

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 resolution.

CLAWSON PARK ADVISORY COMMITTEE

1) Appointment of Mike Petrus as Chair of this Committee: Mr. Van Horn explained that he assumed Chairmanship of this committee when he replaced Township Committee member Patricia Cregar, who had taken on the special project. Mr. Van Horn felt that Mr. Petrus would be a good Chairman, adding it was important to get more Township residents involved without having a Township Committee member as the Chair. Mr. Petrus is willing to assume the Chairmanship, and Mr. Van Horn requested that the Mayor make this change. He also said that it might be possible to have Princeton Hydro do a walk through of Clawson Park the first part of December, with preliminary plans being received the first week of December. Mr. Van Horn added that he would continue to be the liaison to this committee without chairmanship.

Some comments were exchanged on whether this was an advisory or an ad hoc committee, with Mr. Cushing suggesting that it was an advisory one.

Motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously to appoint Mike Petrus as Chair of the Clawson Park Advisory Committee.

On a question from the Clerk, the governing body agreed that there should still be a separate 319H grant committee, as established at reorganization in January. The intent is that the Clawson Park Advisory Committee would be the board to give advice on the grant, while the other group would be the decision makers.

APPROVAL OF MINUTES

October 8, 2015, Special Minutes (Volunteer Interview) were approved on a motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously.

October 8, 2015, Regular Minutes were approved on a motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously.

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

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

CONSENT AGENDA ITEMS

RAFFLE LICENSE #15-07 East Amwell Township School PTO, Basket Auction on March 11, 2016, at East Amwell Township School

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RESOLUTION #151-15

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby support the fund-raising efforts of the East Amwell Township School, PTO, 43 Wertsville Road, Ringoes, NJ 08551; and

WHEREAS, the East Amwell Township School PTO has made application to hold an on-premise raffle on March 11, 2016, from 6:00 p.m. to 9:00 p.m. at the East Amwell Township School, 43 Wertsville Road, Ringoes, NJ 08551;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of East Amwell, that raffle license number #RL-15-07 be approved and processed.

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 resolution.

PUBLIC HEARINGS/INTRODUCTION OF ORDINANCES

Public Hearing(s):

ORDINANCE 15-16 AN ORDINANCE TO PROVIDE FOR LEVELING AND SUBGRADE RECONSTRUCTION OF VARIOUS TOWNSHIP ROADS AS GENERAL IMPROVEMENTS FOR THE TOWNSHIP OF EAST AMWELL, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND APPROPRIATING \$75,000.00 FROM THE CAPITAL SURPLUS

As proof of publication, the legal notice from the October 15, 2015, issue of the Hunterdon County Clerk was presented by the Clerk. The ordinance has been posted and available to the public since introduction on October 8, 2015, according to law. Mayor Wang-Iverson explained that this ordinance will provide for \$75,000 for road work on various roads in the Township using capital funds.

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

Ordinance 15-16 was approved for adoption on a motion 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. Wang-Iverson, yes.

Introduction of Ordinance

ORDINANCE 15-17 AN ORDINANCE OF THE TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING CHAPTER 92 (LAND MANAGEMENT) OF THE ORDINANCES OF THE TOWNSHIP OF EAST AMWELL REGARDING THE EXPIRATION OF VARIANCES

The ordinance will extend the length of time for Board of Adjustment variances, as mentioned earlier in the evening by Ms. Binder.

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**TOWNSHIP OF EAST AMWELL
ORDINANCE 15-17**

AN ORDINANCE OF THE TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING CHAPTER 92 (LAND MANAGEMENT) OF THE ORDINANCES OF THE TOWNSHIP OF EAST AMWELL REGARDING THE EXPIRATION OF VARIANCES.

Section I. Section 92-13F, Expiration of variance, of Chapter 92, Land Management, of the Ordinances of the Township of East Amwell amended.

Section 92-13F, Expiration of variance, of Article IV, General Provisions, of Chapter 92, Land Management, of the Ordinances of the Township of East Amwell is hereby amended and supplemented as follows (additions are underlined thus; deletions are in brackets [thus]):

§92-13. Board of Adjustment.

F. Expiration of variance. In the granting of [hardship and use] a variance[s] pursuant to N.J.S.A. 40:55D-70c or -70(d), a time limit of [one] five years from the date of the variance approval shall be set, within which time the owner or developer shall secure a construction permit; otherwise the variance or variances granted shall be null and void. The approving authority may for good cause shown extend the period for securing a construction permit for [an] such additional period or periods as it deems necessary and appropriate. [not exceeding six months.]

Section II. Repealer.

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section III. Severability.

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

Section IV. Effective Date.

This Ordinance shall take effect, following final passage, upon publication of notice of final passage and the filing of a copy with the Hunterdon County Planning Board.

Section V. Retroactivity.

The provisions of this Ordinance shall apply retroactively to any variances that were granted within the five years prior to the date of the Ordinance's adoption.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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

Introduced: November 12, 2015

Adopted: December 10, 2015

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Motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously to approve the introduction of Ordinance 15-17. The ordinance will be published in the November 19, 2015, issue of the Hunterdon County Democrat, and the public hearing is set for the next regular Township Committee meeting on December 10, 2015, at 7:30 p.m.

SPECIAL COMMITTEE REPORTS - None

UNFINISHED BUSINESS

TOWNSHIP ADMINISTRATOR'S UPDATE

1) Permanent Status Appointment for Assistant Treasurer Charlene Santo: Mr. Matheny said that he received a memo from the CFO recommending the permanent appointment of Ms. Santo. She is performing purchasing functions and special tasks for the CFO, doing both a "tenacious and good job," providing cost savings on projects (e.g., the recent quote for trash). Mr. Matheny agreed that the employee should be given permanent status.

Motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously to appoint Charlene Santo as a permanent employee at this time.

2) Installation of Radar Speed Sign: Mr. Matheny purchased a small laptop computer to retrieve data collected through the newly installed radar sign. He also followed up with the State about the placement of the second unit. He spoke about a fall-back location on another county road if the state does not come through.

3) Soccer Field Issues at the East Amwell Township School: Mr. Van Horn said that he went with DPW Superintendent Silverthorn and Mr. Matheny to visit the school regarding a complaint of damage on the roads to the fields. He said that there were serious ruts in the roads, and there should be no parking back at the fields, only handicapped parking. He believed that coaches and referees are parking in the back area, and the delivery of the portable toilets is also causing ruts and tread-marks on the septic area. The issue has been forwarded to the Recreation Committee to work with South County Soccer League, and if the issue is not resolved, the School may terminate the ability to use the fields. Mr. Van Horn said that it was not the responsibility of the School or the Township to pay for repair expenses.

Committee members briefly discussed the issue, with Mr. Van Horn answering the Mayor's question about the cause of the ruts, i.e., some cars and the large delivery trucks are causing the ruts. The School does not want to put a fence around the area. Mr. Matheny had suggested getting one or two soccer league people posted at the entrance to the fields to direct traffic. Recreation Committee Chair Pete Fick suggested that no games begin until the parking matter is handled. On another suggestion about moving the portable toilets to a different location, it was believed that they should be near the fields for use. Mayor Wang-Iverson commented on the responsibility of South County Soccer League to take care of the fields, while the Township handles the lights and electric; he also mentioned an issue with lights being left on all night, and Mr. Matheny explained that the light issue was here at the municipal field (not the school).

Mayor Wang-Iverson concluded that the School was "well within its rights" to restrict use of the field if issues continue.

MAYOR'S UPDATE

1) Complete Streets Summit at NJ DOT on 10-26-15: Mayor Wang-Iverson accepted the invitation to the event in October, and East Amwell Township was awarded a beautiful plaque in recognition of adopting a Complete Streets Resolution in 2015. The Mayor commented on talking with Tara Shepherd at Hunterdon Area Rural Transportation (HART) about doing some painting on Lindbergh Road in light of the speeding complaints being received about commuters. One resident suggested painting speed limits on the road, as was done on Wertsville Road. Bike symbols on the road were also suggested. Mayor Wang-Iverson said that HART will do a speed study on the road for the Township, i.e., traffic count and speed, and it may be an idea to have the West Amwell Police focus on Lindbergh and Manners Roads for a couple of months during "commuter times." Mr. Miller did see police activity on Lindbergh Road this past weekend.

Mr. Matheny mentioned recently reaching out to Captain Bartzak about increased coverage. The West Amwell Township Clerk contacted the East Amwell Clerk regarding raising the rates next year without mentioning increased hours. Mr. Matheny commented on the need for proportional increase with additional hours, but he was unaware of the request for a higher fee for the basic coverage, and he believed that this matter was in the debate stage right now. Mr.

Van Horn commented on the tickets not covering the hours, and Mr. Matheny spoke about the valuable service provided. Mayor Wang-Iverson was in favor of a few more hours next year for areas such as Wertsville Road, Manners Road, and Lindbergh Road. Mr. Miller also spoke about bicycle traffic on Lindbergh Road and difficulties in maneuvering; Mr. Matheny commented on difficulties using radar in the area because of the terrain.

NEW BUSINESS – none

OPEN TO THE PUBLIC

The meeting was open to the public for comment. There being none, motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously to close to the public.

Mr. Cushing left the meeting at 8:40 p.m.

ADMINISTRATIVE REPORTS

CFO/TREASURER PASQUA presented a transfer resolution.

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RESOLUTION #152-15

WHEREAS, NJSA 40A:4-58 permits appropriation transfers during the last two months of the current fiscal year between line items of the municipal budget; and			
WHEREAS, it has been determined that certain line items are in excess of the sums needed and certain line items have insufficient funds to complete the operations of the fiscal year;			
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of East Amwell, County of Hunterdon, State of New Jersey, that the following sums be transferred as follows:			
		Transfer To:	Transfer From:
5-01-20-155-227-001	Legal Services O&E	\$6,000.00	
5-01-20-165-228-000	Engineering O & E	\$8,000.00	
5-01-28-370-102-001	Parks & Recreation S & W	\$300.00	
5-01-25-265-299-001	Fire Prevention Bureau O & E	\$800.00	
5-01-26-305-229-000	Garbage Pickup O&E	\$250.00	
5-01-26-315-234-000	Vehicle Maintenance O & E	\$2,000.00	
5-01-20-110-299-000	Mayor & Committee O & E	50.00	
5-01-20-100-102-002	Open Space Administrator S & W		\$1,000.00
5-01-20-110-100-000	Mayor S & W		\$1,550.00
5-01-20-120-104-001	Clerk (OT) S/W		\$500.00
5-01-20-130-140-000	Finance (OT) S/W		\$250.00
5-01-20-135-228-001	Audit O&E		\$1,250.00
5-01-20-176-102-000	Agricultural Advisory S&W		\$800.00

50-1-20-176-299-000	Agricultural Advisory O & E			\$100.00
5-01-23-220-292-001	Health Insurance O & E			\$8,500.00
5-01-27-335-102-000	Environmental Commission S & W			\$300.00
5-01-31-430-271-000	Electricity O&E			\$550.00
5-01-26-305-102-001	Solid Waste PT Secretary S&W			\$600.00
5-01-26-290-256-000	DPW O & E			\$500.00
5-01-26-310-224-002	Buildings & Grounds O & E			\$500.00
5-01-31-460-274-000	Gasoline O & E			\$1,000.00
		\$17,400.00		\$17,400.00

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 resolution.

Bills of the evening were approved on a motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously.

TAX COLLECTOR HYLAND presented her October report.

Tax Collector Resolutions:

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RESOLUTION #153-15

WHEREAS there has been a redemption made for Tax Sale Certificate #201505 Block 27, Lot 34.02, Wertsville Road, sold on October 22nd 2015 to East Amwell Township and,

WHEREAS the amount of \$994.05 has been collected from Steven Lang , owner of this property for the redemption of this Tax Sale Certificate #201505,

THEREFORE, BE IT RESOLVED that a check in the amount of \$994.05 be prepared and the Mayor, Treasurer and Clerk be authorized to sign this check issued to East Amwell Township.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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RESOLUTION #154-15

WHEREAS there has been a redemption made for Tax Sale Certificate #201506 Block 27, Lot 35, Route 31, sold on October 22nd 2015 to East Amwell Township and,

WHEREAS the amount of \$409.80 has been collected from Sandy Freund, owner of this property for the redemption of this Tax Sale Certificate #201506,

THEREFORE, BE IT RESOLVED that a check in the amount of \$409.80 be prepared and the Mayor, Treasurer and Clerk be authorized to sign this check issued to East Amwell Township.

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 Tax Collector resolutions.

CORRESPONDENCE

The Clerk pointed out the email from Ms. Bonette about her request for the Township to become an intervener in the PennEast Pipeline application, which originally came in for the October meeting. She asked that it be earmarked for the November meeting too; however, the deadline to register was the end of October. In the interim, prior to the October deadline, the Board of Health did contact the FERC (Federal Energy Regulatory Commission) about their support of the previously submitted resolution by East Amwell Township to oppose the construction of the pipeline. The governing body believed that FERC was aware of their opposition.

ADJOURNMENT

There being no further business, motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously to adjourn the meeting at 8:45 p.m.

Teresa R. Stahl, RMC/CMC
Municipal Clerk

draft - not yet approved

draft - not yet approved