

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 Charles Van Horn, Tim Mathews, and Peter Miller. Township Administrator Timothy Matheny and Attorney Tara St. Angelo 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 5, 2016, with a meeting notice published in the Hunterdon County Democrat issue of January 14, 2016. 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 March 8, 2016.

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

**AGENDA REVIEW**

The Clerk introduced Attorney Tara St. Angelo, who was in attendance this evening.

There was one item of correspondence added: the 3/10 attorney/client privilege email from Attorney St. Angelo re: Affordable Housing.

**ANNOUNCEMENTS**

A. 2016 Annual Dog Licenses are now overdue. \$12 for Neutered/Spayed and \$15 for Non-Neutered/Non-Spayed, and a late fee of \$25.00 will be assessed for dogs registered after February 29. Contact the Clerk's Office at 908-782-8536 x10 for more information.

B. Day Light Savings Time Begins at 2 a.m. on Sunday, March 13, 2016

C. The Recreation Committee will hold their annual Easter Egg Hunt at the East Amwell School on Saturday, March 19, at 11 a.m. with a rain date of March 26. See Township website for details.

D. Municipal Offices will be closed on March 25, 2016, for Good Friday.

E. Look for important dates in the Spring Newsletter from the Environmental Commission and Recycling Committee, including Roadside Clean Up on April 16; Clawson House Open House on April 16 and 17; Annual Clean Up Day on April 30; Annual Plant Exchange on May 21.

**UPDATE FROM THE CFO**

UPDATE FROM CFO: CFO Margaret Pasqua said that tonight the Township Committee would be introducing the 2016 budget.

Ms. Pasqua added that when looking at the May bond anticipation notes, she will be adding the roof repair and road repair ordinance (\$500,000 for the latter). She mentioned getting \$160,000 from the state and using \$25,000 from capital, with only \$315,000 for the road projects to fund ourselves. She said that she would be adding the \$315,000 to permanent debt when she went out to bond next year. The current note is \$1,139,000 with \$58,500 being paid out of this year's budget. On a question from Mr. Mathews, Ms. Pasqua said that there would not be an impact on this year's budget, only the interest on the \$315,000, which might be a couple of thousand dollars.

RESOLUTION TO ADOPT TEMPORARY EMERGENCY APPROPRIATIONS: Mayor Wang-Iverson commented on the resolution, which would carry the municipality until April.

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**RESOLUTION #30-16****RESOLUTION TO ADOPT TEMPORARY EMERGENCY APPROPRIATIONS #1**

WHEREAS, N.J.S.A. 40A: 4-20 provides that an addition to temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the Governing Body may, by resolution adopted by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which the appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year.

WHEREAS, the total emergency temporary resolutions adopted in the year 2016 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$169,073.00

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Mantoloking, that in accordance with the provisions of N.J.S.A. 40A: 4-20, the Chief Financial Officer be authorized to make the following emergency temporary budget appropriations in the 2016 current fund temporary budget and that said amounts be included under the correct headings in the municipal budget as adopted.

BE IT FURTHER RESOLVED that one certified copy of this resolution be filed with the Director of the Division of Local Government Services and one certified copy with the Chief Financial Officer.

	S & W	O & E
General Administration	\$5,300.00	\$ 3,000.00
Mayor & Committee	\$1,000.00	
Municipal Clerk	\$4,000.00	\$ 2,000.00
Financial Administration	\$6,000.00	
Revenue Administration	\$3,000.00	\$ 2,000.00
Tax Assessment Administration	\$3,000.00	\$ 3,000.00
Historic Sites Committee	\$ 250.00	\$ 250.00
Agricultural Advisory Com.	\$ 200.00	\$ 75.00
Planning Board	\$1,000.00	\$ 5,900.00
Zoning Board	\$3,000.00	\$ 800.00
Affordable Housing Agency	\$ 500.00	
Liability/Auto/Accident Insurance		\$20,467.00
Public Officials Surety Bonds		\$12,940.00
Workers Compensation Insurance		\$ 8,582.00
Employee Group Insurance		\$ 9,750.00
Municipal Prosecutor	\$1,900.00	
Street & Road Maintenance	\$19,000.00	\$ 8,000.00
Street & Road Maintenance out cap	\$ 6,000.00	\$ 5,000.00
Solid Waste Collection		\$ 500.00
Buildings & Grounds		\$ 5,000.00
Vehicle Maintenance		\$ 2,000.00
Public Health Services	\$1,000.00	
Environmental Commission		\$ 250.00
Recreation Services & Program		\$ 650.00
Heating Oil/Gas		\$ 3,500.00
Public Employees Retirement Sys		\$ 4,958.00
Social Security/Medicare		\$ 5,000.00
Municipal Court out of cap		\$10,301.00
Total	\$169,073.00	

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 Deputy Mayor Sageser, and carried unanimously to approve the resolution.

INTRODUCTION OF THE 2016 BUDGET

Mayor Wang-Iverson read a portion of the budget resolution for introduction of the budget in the amount of \$2,671,044.82.

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**RESOLUTION #31-16**

Introduction of the 2016 Municipal Budget  
(as attached to the original set of minutes)

By Order of the Township Committee,

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David Wang-Iverson, Mayor

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Motion by Deputy Mayor Sageser and seconded by Mr. Van Horn to introduce the 2016 budget.

Mr. Mathews commented on making some changes to the budget to reduce it with his understanding that some items could be reduced without re-advertising. Ms. Pasqua commented on specific changes that could be made. On a question, she answered that the tax rate was going from .184 to .195 with less than a \$42.00 increase on an average house assessed at \$382,992. Mr. Mathews said he did not want to increase taxes.

Mr. Van Horn called for the vote on the budget resolution: Mr. Van Horn, yes; Mr. Miller, no; Mr. Sageser, yes; Mr. Mathews, no; Mr. Wang-Iverson, yes.

The public hearing on the budget will be at the April 14, 2016, Township Committee meeting at 7:30 p.m., and the budget summary will be in the March 17, 2016, issue of the Hunterdon County Democrat.

**SPECIAL DISCUSSIONS**

QUARTERLY PRESENTATION FROM COMCAST Rob Clinton, Director of Government Affairs, was present.

Mr. Clifton had no formal presentation but was open to questions or comments. He said that he spoke with the Administrator a few days ago about a low hanging wire on Lindbergh Road, and another construction crew will be out in a few days to address the line (e.g., roll it up and attach to the pole or splice and reconnect). Some comments were exchanged between the governing body and Mr. Clifton on possible causes for the low hanging wire.

Mr. Mathews spoke about activities on Linvale, Mountain, and Snyderstown Road with door-to-door canvassing for Verizon FiOS tv. Deputy Mayor Sageser said that he now has it on Welisewitz Road too. Mr. Clifton had no information on Verizon, who relies on fiber for service, not cable.

There were no other comments from the audience or the dais, and Mr. Clifton left the meeting at this time.

## REPRESENTATIVES FROM HART – SPEED STUDY RESULTS FOR LINDBERGH ROAD FROM JANUARY 4 TO FEBRUARY 1, 2016

Executive Director of HART, Tara Shepherd, and HART Complete Streets Coordinator, Tim Arnold, were present for this discussion.

Ms. Shepherd commented on the report prepared for East Amwell, stating that there wasn't any particular speeding issue if the Township was looking at it from an enforcement issue. There were speeds over 30 mph, with most speeds below 40 mph. In terms of recommendations, Ms. Shepherd suggested intermittent enforcement. Mayor Wang-Iverson noted that the traffic speed did not change dramatically whether the equipment was on stealth or view mode; Ms. Shepherd said only 5%.

Deputy Mayor Sageser asked about terminology of "violation" on the sheets; Ms. Shepherd explained that this was software terminology. Mr. Arnold explained that 85% percentile is the expected exceeded speed, e.g., if the speed was 35mph, it is assumed that cars would travel 3-10 mph over that speed or be within the 85%, and the additional 15% would be considered speeding. He continued by saying that 42 – 44 mph would be within the 85% cushion while a higher speed of 50mph would raise some concern. Deputy Mayor Sageser asked if those drivers traveling a higher speed but within the 85% were being considered violators; he was told yes, according to the software, but in reality, it was expected speed.

Ms. Shepherd continued by stating that the data would indicate the peak volume and speed so that it was clear when enforcement was needed; she suggested the Township could request intermittent enforcement as needed. Mr. Arnold said that he had an alarm on him for when there were speeders over 45 mph, and it only went off a few times. He added that one speed of 57 mph was the highest figure registered.

Deputy Mayor Sageser asked whether the speed limit was right for the road; Ms. Shepherd said that this would be a question for the engineer. Mayor Wang-Iverson asked about putting any arrows or markings on the road; Ms. Shepherd did not think so, saying that the importance is to raise general awareness, i.e., you can change mileage but not behavior. She added that even by checking licenses and seeing that many may be residents, she asked what the next step for the municipality might be in terms of enforcement for residents. Deputy Mayor Sageser asked if HART's equipment could collect license plate data; he was told that it could.

Ms. Shepherd commented on what would be considered egregious, adding that if you were getting your mail or walking a pet, you may perceive that a vehicle is going faster than it is. Mr. Mathews also commented on traffic going slower downhill. Mr. Arnold said that he had to go on site every couple of days to change the batteries and by watching cars, when they hit the crest and couldn't see, they would slow down until they saw the sign; in the other direction, they could travel faster. Mr. Arnold said that the equipment was staged at a farm at 33 Lindbergh Road at a crest of a hill. Deputy Mayor Sageser also commented on a one lane bridge in the area and the possibility of getting higher speeds 100 yards away. On a question on why the location was chosen, Mr. Arnold said that it was a good location to stop his car on the road and it was agreed to by the Township. Mayor Wang-Iverson asked about using the equipment again at a location closer to Zion Road. Both representatives agreed that the equipment could be used again after it was returned from Delaware Township, i.e., in April. Mr. Arnold asked that the Township provide a channel post for him to attach the equipment. Mr. Van Horn commented on a typographical error in tables on the handout provided this evening.

Mr. Mathews commented on the spikes with commuters indicating that commuters must go one way to work and come home another. Ms. Shepherd was agreeable to doing another study further down the road and comparing data. Some comments were exchanged by the Township Committee and HART about drivers' reaction to the displays and whether they brake in the area.

Ms. Shepherd spoke about information on pedestrian safety grants with the NJ Highway and Safety Division soliciting applications each year for different safety initiatives. She suggested going to the website to see if there was anything that the Township wished to pursue, and HART would provide a letter of support. Mayor Wang-Iverson asked about anything for a pedestrian crossing, such as a sign and paint; he suggested something like a red graveled material to make the pedestrian walkway stand out. Mr. Van Horn spoke about installation of strobe lights in the

crosswalks to stand out; Ms. Shepherd said that these types of installations would be expensive and would have to be maintained by the municipality. Mr. Miller asked about the grant paying for the initial installation; Mr. Arnold said that the cost of the strobe lights would be about \$26,000-30,000. On a question from Deputy Mayor Sageser about illuminated crossings, Mr. Arnold said that he has some recent quotes for another municipality, and he would send the information on them, speculating that the cost would be around \$2,000 for parts and installation. It was also noted that NJ Department of Transportation approval would be necessary since it was their road.

Deputy Mayor Sageser commented that during the Ringoes study, in the area of Route 179 to Route 202 and 31, there was discussion about petitioning the state to relinquish the road to the municipality so that they could make improvements. Ms. Shepherd commented that the municipality would then have the right to enact their own ordinances and standards to "downsize" the streets; however, once it became the Township's street, there would be the additional costs to the Township for maintenance and liability. She cautioned that the Township would have to weigh the benefits for the improvements v. costs. Ms. Shepherd agreed to think about examples of when this was done, will find a case study of a downtown area, and get back to the Township Committee. Deputy Mayor Sageser said that it sounded like a good idea, but an expensive one. Ms. Shepherd again stated that there would be recurring costs, once the road was accepted by the Township. She further stated that the Township has good arguments for making the streets safer, and the State has Complete Street policies so the State may be supportive of the improvements that are being sought.

Mayor Wang-Iverson provided anecdotal information on the Township's attempt to get a radar sign installed on the State's Route 179 with Mr. Matheny adding that the State's standard response is no, but it would depend on who was on the other end of the phone. Ms. Shepherd provided anecdotal information of having a safety sign installed near Stockton Borough School after a one and a half year process through NJ DOT.

Mayor Wang-Iverson suggested that Ms. Shepherd send the case study information to both him and the Clerk, and he thanked the HART representatives for their attendance this evening.

COAH (AFFORDABLE HOUSING) UPDATE – Attorney Tara St. Angelo provided the update.

Ms. St. Angelo commented on her update to the municipalities today, which was emailed directly to the Committee members. She said that the Judges in Middlesex County decided that there is a gap period. She added that the attorneys in our County met with other attorneys from the vicinage to discuss coordinating efforts. She explained that gap period as the period from 1999 to the present time when COAH was not in operation and no numbers were issued. Municipalities are taking the stand that there is no gap period and there is housing available while Fair Share Housing (FSH) and intervenors are saying there is an obligation to be met.

Ms. St. Angelo continued by saying that Middlesex and Ocean Counties say there is a gap, but calculations are unknown. Judge Miller (the judge for our region) hasn't decided on the gap period, and there is an April court date to discuss this. It was unclear how the Judge would determine this issue.

Mr. Mathews asked if Judge Miller made a different decision, what does this do with the other Judges. Ms. St. Angelo spoke about 15 different Mt. Laurel Judges with the possibility of 15 sets of rules and the matter eventually going to the Supreme Court.

Ms. St. Angelo continued by saying that Judge Miller is the Township's Judge and Richard Reading is the Special Master for this region. Mr. Reading is also assigned to Ocean County and Somerset County. Ocean County believes that there is a gap period although there are no calculations in place. East Amwell won't know until April how Judge Miller decides.

Mayor Wang-Iverson commented that the Econsult report showed no gap period. Ms. St. Angelo said that the period includes 1999-2015 and the belief is that the low and moderate income residents have either left the state or have found housing or there would be a bigger homeless population. Even if the low or moderate income residents are paying more for their homes, COAH does not see this number contributing to need. She added that Econsult did not

calculate a gap since they don't believe that there is one. She believed that there would be a battle of experts and then the matter would go to the Supreme Court.

There is a case management meeting with Judge Miller on April 15 to discuss issues with the municipalities and intervenors, e.g., what will be taken into account, other factors, Highlands issues, etc. Summary judgment motions may be provided on the topics, and Jeff Surenian made a similar motion in other counties; his brief will be reviewed to determine if there is anything else that they want to add. Ms. St. Angelo said that the Township Committee will discuss this in closed session to see how they wish to participate. She added that East Amwell doesn't have the larger issues, such as Highlands.

Mr. Mathews asked about the Highlands issues. Ms. St. Angelo explained the issue regarding how much development could be built because of land constraints and preservation, concluding that it was similar to vacant land adjustment arguments. Mr. Mathews commented on having similar issues here. Ms. St. Angelo said that how to present in court is legal strategy, which should be discussed in executive session once the briefs are out.

Mr. Mathews asked if there was a difference between vacant and preserved land. Ms. St. Angelo said that preserved land is taken out of the equation. She spoke about math and an allocation factor and divvying out; preserved land makes the number go down since it is not available for development. A realistic number for development potential is an important factor and would include vacant land adjustment.

Deputy Mayor Sageser spoke about the decisions to be made about COAH, adding that until numbers are resolved, no planning could be done. Ms. St. Angelo mentioned the involvement of FHS and the Builder's Association, who look are also looking at the housing issue.

Mr. Mathews spoke about contributing to the financial aspect of the defense. Ms. St. Angelo agreed to provide a list of all the contributing municipalities with a statement of account, adding that there have more municipalities joining the group. She said that the consortium would be coming to an end as a big entity and will develop into 15 smaller ones for individual processing. Deputy Mayor Sageser asked if this would be done in one county or three county groups; Ms. St. Angelo said that there has been no firm discussion although everyone wants to keep costs down. She will know more after the next group meeting. Also it was unclear what money was left in the kitty and whether there would be money coming back to the municipalities.

Mr. Mathews asked about the costs for the Special Master. Ms. St. Angelo said that this will also be discussed at the April conference. There is a regional Special Master, but the municipalities will also have to have their individual Special Masters; these professionals will be paid by the municipality and the intervenors. Mr. Mathews asked about paying for Mr. Reading; this will be discussed at the April conference, with Ms. St. Angelo saying that FHS is absolved from paying for the Masters although the Builder's Association must share costs.

Further comments were exchanged by the Township Committee and Attorney St. Angelo regarding a legislative solution (such as having the Governor appoint one more COAH member and having them adopt rules), having the growth calculations decided at a legislative level (with Ms. St. Angelo recommending that the Township push their legislative representatives in this direction), etc. Ms. St. Angelo concluded that the Township must continue in this process. She reiterated that there would be an executive session to discuss court submissions, and after the submissions are made to court, the information would be public.

Deputy Mayor Sageser commended Ms. St. Angelo "for doing a great job," and Mayor Wang-Iverson thanked her for the update.

## **STANDING COMMITTEE REPORTS**

**RECREATION COMMITTEE** Chair Pete Fick was present for this update.

Mr. Fick distributed a prepared hand-out listing the Recreation Committee's programs and responsibilities: Annual Tree Lighting; Annual Easter Egg Program; South County Soccer; East Amwell School Soccer Field; South County Park; working with Recycling Committee; working

with the Clawson Park Committee; Bingo at East Amwell Township School; Movie Night at Kirkpatrick Memorial Presbyterian Church; Amwell Valley Softball; Amwell Valley Baseball; Bricks for Kidz (a new program at Kirkpatrick Memorial Presbyterian Church in August); Adult Basketball; looking at starting new programs, possibly a seniors program; cooperation with area parks and open space areas, such as walking paths; Summer Volleyball.

Mr. Fick commented on a very good committee “team,” including Thrya Zengel; Chris Kellogg; Sandra Gensini; Mike and Amy Atzert; and Erica Johanson, adding that they come from all different areas of expertise. He mentioned working with Tim Matheny on some issues, and he appreciated the help he receives from office staff, especially Terri Stahl and Pam Dymek. He added that their secretary, Maria Prendamano is a very important part of the Recreation team and is very involved in all activities. Mr. Fick also recognized Mr. Mathews as a liaison and a help to the Committee.

Deputy Mayor Sageser commented on having Mr. Fick serve on the Recreation Committee, having the Committee become vibrant and getting things done. Mr. Mathews concurred.

Mr. Fick explained the Bricks for Kids program as a summer program, replacing the sports program offered last year (not well attended).

Mayor Wang-Iverson asked about the school fields; Mr. Fick said that the Committee is working on them and will keep the Township Committee informed.

The Committee advised Mr. Fick that all department budgets were kept flat this year; Mr. Fick was unaware of this.

Committee members concluded that Mr. Fick was “doing a great job!”

#### **APPROVAL OF MINUTES**

February 11, 2016, Minutes were approved on a motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously.

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

Frances Gavigan, 123 Wertsville Road, spoke about the COAH issue with the Highlands, suggesting the Township craft its arguments for a lower number around the environmental and water quality aspects of the township, including the Sourland area as a fragile area, diabase/water issues, geological constraints for septic systems, septic failures, unique economy, population, limited business, open space preservation in cooperation with other agencies, etc. Ms. St. Angelo said that preserved land is out of the calculations, and unique Township specifics would be presented later in the process. In April, the general rules will be considered, and if East Amwell stays in the process, once a number is determined, there will be a compliance hearing in front of the Judge. Vacant land adjustments may be taken out, and the planner/engineer will be coming up with a realistic development plan; none of this can be done without a number from the court.

Ms. Gavigan spoke about having information gathered before hand; Ms. St. Angelo said that the planner has already taken information into consideration. Ms. Gavigan also commented on Mr. Thompson being an intervenor. She added that she was appreciative of the efforts being made.

Ms. Gavigan had questions about the bill list, which is an item on the agenda.

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

#### **SPECIAL DISCUSSIONS, Continued**

COAH (AFFORDABLE HOUSING), CONTINUED

Mr. Mathews asked about calculations for forest management plan areas. Ms. St. Angelo envisioned them as part of the vacant land adjustments, and Deputy Mayor Sageser commented on them being part of the allocation factor. Ms. St. Angelo commented again that the numbers are not yet known, and depending on the numbers assigned, the vacant land adjustment will be tallied. She commented on preparing a narrative to justify the submitted plan, which can be crafted for the municipality. Mr. Mathews commented on finding the records for the forest management plans in the Tax Assessor’s Office. Ms. St. Angelo believed that Planner Joanna Slagle has this information.

Ms. St. Angelo added that Econsult will look at the data set for the vacant land allocation factor, which may be available by block and lot; FHS also has that information so that the figures can be compared.

RED CROSS – REQUEST FOR RESOLUTION

Adrian Huns, 37 Van Lieus Road, and a member of the American Red Cross, Central NJ Chapter, was in the audience to listen to discussion on this topic. For the record, this item was listed as Correspondence, but the Mayor agreed to enter it as an Item of Discussion at this time.

Mr. Huns thanked the governing body for considering the resolution this evening for American Red Cross Month 2016 in March. He explained that the volunteers of this organization are involved in disaster preparedness and serve during emergencies, such as fires and floods. They give shelter, food, and assistance to those in need, and they are a major organization in the U.S. Mr. Huns mentioned blood collection figures and the organization’s distribution of numerous smoke detector alarms in the country.

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**RESOLUTION #32-16**

AMERICAN RED CROSS MONTH 2016

In East Amwell Township, we have a long history of helping our neighbors in need. American Red Cross Month is a special time to recognize and thank our Everyday Heroes – those selfless Red Cross volunteers and donors who give of their time and resources to help community members.

These heroes help families find shelter after a home fire. They give blood to help trauma victims and cancer patients. They deliver comfort items to military members in the hospital. They use their lifesaving skills to save someone from a heart attack, drowning, or choking. They enable children around the globe to be vaccinated from measles and rubella.

The American Red Cross depends on local heroes to deliver help and hope during a disaster. We applaud our heroes here in East Amwell Township, who give of themselves to assist their neighbors when they need a helping hand.

Across the country and around the world, the American Red Cross responds to disasters big and small. In fact, every eight minutes the organization responds to a community disaster, providing shelter, food, emotional support and other necessities to those affected. It collects 40 percent of the nation’s blood supply; provides 24-hour support to military members, veterans and their families; teaches millions lifesaving skills, such as lifeguarding and CPR; and through its Restoring Family Links program, connects family members separated by crisis, conflict, or migration.

We dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission.

NOW, THEREFORE, I, David Wang-Iverson Mayor of East Amwell Township, by virtue of the authority vested in me by the Constitution and laws of East Amwell Township and the State of New Jersey, do hereby proclaim March 2016 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 10<sup>th</sup> day of March, in the year of our Lord two thousand sixteen.

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.

**Consent Agenda Items**

SOCIAL AFFAIRS PERMIT – SAFE IN HUNTERDON FOR AN EVENT TO BE HELD AT THE RIDGE AT BACK BROOK ON APRIL 28, 2016.

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**RESOLUTION #33-16**

BE IT RESOLVED by the Township Committee of the Township of East Amwell, County of Hunterdon, State of New Jersey, that they have no objection to a Social Affairs Permit being granted to SAFE in Hunterdon, 47 East Main Street, Flemington, NJ 08822, from the New Jersey Division of Alcoholic Beverage Control for an event to be held on Thursday, April 28, 2016, at The Ridge at Back Brook.

By Order of the Township Committee,

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David Wang-Iverson, Mayor

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

**INTRODUCTION OF ORDINANCES/PUBLIC HEARINGS**

**Introduction of Ordinance(s)**

ORDINANCE 16-02 AN ORDINANCE REGULATING THE STATUTORY AUTHORITY OF VERIZON NEW JERSEY INC., ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE TOWNSHIP OF EAST AMWELL, HUNTERDON COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF

Mayor Wang-Iverson said that the ordinance being introduced allows Verizon to access streets and equipment. He added that Attorney St. Angelo worked with the Verizon representatives on the version being presented this evening.

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TOWNSHIP OF EAST AMWELL  
HUNTERDON COUNTY, NEW JERSEY  
ORDINANCE # 16-02

AN ORDINANCE REGULATING THE STATUTORY AUTHORITY OF VERIZON NEW JERSEY INC., ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE TOWNSHIP OF EAST AMWELL, HUNTERDON COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF

WHEREAS, the Township of East Amwell adopted a consent Ordinance on September 3, 1965 entitled "AN ORDINANCE GRANTING PERMISSION AND CONSENT TO NEW JERSEY BELL TELEPHONE COMPANY, ITS SUCCESSORS AND ASSIGNS, TO USE ALL OF THE VARIOUS STREETS, ROADS, AVENUES, AND HIGHWAYS, AND PARTS THEREOF, IN THE TOWNSHIP OF EAST AMWELL, HUNTERDON COUNTY, NEW JERSEY, BOTH ABOVE AND BELOW THE SURFACE THEREOF, FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF ITS LOCAL AND THROUGH LINES AND SYSTEMS IN CONNECTION WITH THE TRANSACTION OF ITS BUSINESS, AND PRESCRIBING THE MANNER OF SO DOING," which provided authority to New Jersey Bell to use various public avenues for its communication facilities and establishes the terms of that agreement between the parties; and

WHEREAS, such Ordinance is about to expire; and

WHEREAS, New Jersey Bell is now known as Verizon New Jersey, Inc.; and

WHEREAS, Verizon New Jersey has forwarded its current standard form municipal consent ordinance; and WHEREAS, the Township of East Amwell wishes to adopt said ordinance with certain revisions.

SECTION 1. Pursuant to the provisions of N.J.S.A. 48:17-10, N.J.S.A. 48:17-11, and N.J.S.A. 48:17-12, permission and consent is hereby granted to Verizon New Jersey Inc., (the "Company"), its successors and assigns, to install, operate, inspect, maintain, repair, replace and remove its communications facilities and other transmission or process equipment, including underground facilities, such as conduits, manholes, cables, wires, and all other facilities appurtenant thereto, and above-ground facilities, such as cables, wires, antennas, poles, posts, supports, guys, pedestals, cable termination and distribution cabinets and all other facilities appurtenant thereto, in, through, upon, along, over, under, and across all of the various public streets and ways, which include the roads, avenues, right-of-way, sidewalks, highways, bridges, waterways, and other similar public places, and parts thereof, throughout their entire length, and to effect the necessary street openings and lateral connections to curb poles, property lines and other facilities in the Township of East Amwell (the "Township") for said Company's local and through lines and other communications facilities in connection with the transaction of its business. In the event that any public street or way where the Company has facilities is vacated by the Township, the Township agrees to reserve unto said Company the rights granted the Company by the present Ordinance.

The term "communication facilities" and references thereto shall not be construed to include any cellular wireless or other antenna towers or similar structures; and nothing herein shall pre-empt or in any way preclude or constitute a waiver of the Township's exercise of its planning or zoning powers under the New Jersey Municipal Land Use Law or other applicable law relative to the placement, regulation, zoning or suitability of such structures within the Township.

SECTION 2. All poles, posts, pedestals, cabinets, or other facilities shall be located and placed back of the curb lines where shown on the official map(s) of the Township; the poles and posts, however, shall be located within eighteen (18) inches of the face of such curb line or as may otherwise be mutually agreed by both parties or otherwise required by law, or at the points or places now occupied by the poles, posts, pedestals, cabinets, or other facilities of the Company, its successors and assigns, and where there are no curb lines, at other convenient points or places in, upon, along, adjacent, or across the public streets and ways as may be mutually agreed upon between the parties and subject to approval by the Township Engineer, which approval shall not be unreasonably withheld or delayed.

SECTION 3. The Company may bury its local and through communications facilities such as cables, conduit, manholes and associated equipment, fixtures, process equipment and

appurtenances within the right-of-way of the various public streets and ways and at such locations as shall be mutually agreed upon by the parties for said Company's local and through lines and communications facilities. Underground conduits and associated facilities, as aforementioned, shall be placed at least eighteen (18) inches below the surface of said public streets and ways and with the exception of lateral branches to curb poles and property lines and other facilities, the same shall generally not be constructed more than ten (10) feet from the curb line, unless obstructions make it necessary to deviate from such course or unless the parties mutually agree to another location. Manholes shall be located at such points along the line of underground conduits as may be necessary or convenient for placing, maintaining, and operating the facilities, as aforementioned, which the Company may from time to time use in connection with its underground conduit system and shall be so constructed as to conform to the cross-sectional and longitudinal grade of the surface so as not to interfere with the safety or convenience of persons or vehicles.

SECTION 4. Before proceeding with any new construction or relocation of work in an area covered by this Ordinance, the Company shall give 48 hours prior notice in writing thereof to the Township in non-emergency situations, through its designated representative, of its intention to perform such work. Notice of such work that needs to be performed in an emergency situation shall be provided to the Township in writing as soon as practicable. The Company shall obtain such street opening or excavation permits as may be lawfully required by any applicable ordinances and other laws regulating such openings or excavations. Any such area affected by the Company in constructing its facilities shall be restored to as good condition as it was before the commencement of work thereon. No public streets or ways shall be encumbered for a period longer than shall be reasonable to execute the work.

SECTION 5. The Company agrees to indemnify and save harmless the Township from and against all claims and liabilities resulting from any injury or damage to the person or property of any person, firm or corporation caused by or arising out of road conditions resulting from any negligent or faulty excavations, installation or maintenance connected with the work or equipment of said Company, and not attributable to the fault or negligence of the Township, except that if such injury or damage shall be caused by the joint or concurring negligence or fault of the Company and the Township, the same shall be borne by them to the extent of their respective fault or negligence.

SECTION 6. Whenever a curb line shall be established on streets where one does not now exist or where an established curb line shall be relocated in order to widen an existing street in conjunction with road construction being performed by the Township, the Company shall change the location of its above-ground facilities covered by this Ordinance in accordance with applicable law, so that the same shall be back of, and adjacent to, the new curb line so long as the Township has acted in accordance with applicable law and with reasonable care in establishing the new curb line and providing notice thereof.

SECTION 7. Any company or corporation having legal authority to place its facilities in the public streets and ways of the Township may jointly use the Company's poles, posts, pedestals or other structures for all lawful purposes, provided the Company consents to such use, on terms and conditions acceptable to the Company, which shall not be unreasonable, and not inconsistent with the provisions of the present Ordinance.

SECTION 8. The Company shall provide space, to the extent available, on its poles so long as said poles are occupied by the Company and space, to the extent available, in its main conduits existing on the date of passage of this Ordinance, but not exceeding one (1) duct of standard size, for the sole benefit of the Township during the pendency of this Ordinance. Such space shall be provided for the exclusive use of the Township which use shall be limited to accommodating the wires or electrical conductors required for one-way signal control in connection with municipal police patrol, fire alarm signal control and traffic signal control systems only; but for no other uses or purposes, either alone or in conjunction therewith; nor for circuits for the supply of electrical energy for traffic or other signals; nor for wires, conductors, cable or the equivalent which provide a means of transmitting any signal to a private, commercial or residential location, and which is normally provided by a nongovernmental supplier; provided, further, that no such use or attachment by the Township shall interfere with the plant or facilities of or the use thereof by the Company. All costs or expenses incurred by the Company in connection therewith shall be paid by the Township. It shall be the obligation of the Township to attach its wires, to the

poles or place its electric conductors in the conduits or manholes of the Company, provided that before proceeding with said work, either by itself or by a person, firm or corporation engaged to perform such work, the Township shall give the Company thirty (30) days prior notice in writing. All such work shall be performed under the supervision of said Company. The Township will indemnify and save harmless the Company from and against all claims, liabilities or demands arising in any manner in connection with the Township's wires or facilities or their installation, maintenance, operation or removal, or the Township's use or enjoyment of the Company's plant or facilities provided under this Section 8.

SECTION 9. If any or all of the said streets or ways are later taken over by the County of Hunterdon or the State of New Jersey, such County or State shall have such rights and privileges and be subject to the same terms, conditions and limitations of use as apply herein to the Township, provided, however, that satisfactory prior arrangements as may be necessary are made with the Township and the Company for the full protection of the respective interest of each.

SECTION 10. The term "Township" as used in this Ordinance shall be held to apply to and include any form of municipality or government into which the Township or any part thereof may at any time hereafter be changed, annexed or merged.

SECTION 11. The permission and consent hereby granted shall apply to and cover all communications facilities of the Company existing at any time, and related structures, process equipment, and appurtenances heretofore or hereafter erected, constructed, reconstructed, removed, located, relocated, replaced, maintained, repaired, or operated by the Company, its predecessors, successors, or assigns within the Township's right of ways. This Ordinance shall cancel and supersede all prior consent ordinances between the Township and the Company regarding the subject matter hereof.

SECTION 12. This Ordinance shall continue in effect for a period of twenty-five (25) years from the time it becomes effective. The Company shall maintain its property within the Township and shall comply with applicable law for the provision of safe, adequate and proper service at just and reasonable rates, and safeguard the public interest in continuous and uninterrupted service within the Township.

SECTION 13. In the event that any provision herein shall for any reason be illegal or unenforceable under applicable law, such illegality or unenforceability shall not affect any other provisions of this Ordinance and this Ordinance shall be construed as if such illegal or unenforceable provision(s) had never been contained herein.

SECTION 14. The Company shall pay the expenses incurred for advertising required in connection with the passage of this Ordinance, after the date of its first reading, within thirty (30) days after the Company has received a bill for said advertising from the publisher. Following final passage of this Ordinance, the Township Clerk shall provide the Company with written notice thereof by certified mail. As provided by applicable law, this Ordinance, and any subsequent amendments, shall not become effective until acceptance thereof by the Company and approval thereof by the Board of Public Utility Commissioners.

SECTION 15. In the event any State or Federal law permits the Township to impose or receive fees or remuneration from the Company, nothing in this Ordinance shall preclude the Township from collecting or receiving such fees or remuneration.

SECTION 16. Nothing herein contained shall be construed to grant unto said Company, its successors and assigns, an exclusive right, or to prevent the granting of permission and consent to other companies for like purposes on any of the streets, roads, avenues, right-of-way, sidewalks, highways, bridges, waterways, and other public places, and parts thereof of the Township for the term of this Ordinance; or require the Company to pay such fees or remuneration in the absence of any requirement by State or Federal law.

SECTION 17. Following final passage of this Ordinance the Township Clerk shall provide the Company with written notice thereof by certified mail. As provided by applicable law, this Ordinance shall not become effective until acceptance thereof by the Company, and approval thereof by the Board of Public Utilities.

SECTION 18. This Ordinance shall take effect after final passage and publication as prescribed by law.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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

Introduced: March 10, 2016

Adopted:

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Motion by Mr. Van Horn and seconded by Mr. Mathews to introduce Ordinance #16-02.

Mr. Mathews asked about inventorying poles, collaborating with other utilities, and conducting reasonable tree trimming. He suggested adding a sentence about this that would not alter the ordinance. Ms. St. Angelo said that the ordinance is governed by the BPU, but she was amenable to seeing what kind of language could be included. It was also noted that Verizon may be constrained by NJ DOT regulations. Deputy Mayor Sageser mentioned that at the meeting when Verizon and JCP&L were present, they did indicate that there was an inventory of poles with markers showing who owns them.

Ms. St. Angelo agreed to look at possible language for inclusion in the ordinance as a minor modification; she did not see this as altering the ordinance and requiring a second notice and delayed public hearing.

The motion to introduce the ordinance as presented this evening was approved unanimously. The ordinance will be published in the March 17, 2016, issue of the Hunterdon County Democrat, and the public hearing is set for the next regular Township Committee meeting on April 14, 2016, at 7:30 p.m.

**Public Hearings:** None

**SPECIAL COMMITTEE REPORTS - None**

**UNFINISHED BUSINESS**

**TOWNSHIP ADMINISTRATOR’S UPDATE**

1) Resignation of FOSPC Administrator Pam Thier: Ms. Thier moved back to a different position at the State following an extended time of retirement. FOSPC Chair Glorianne Robbi worked on updating the job description, which is posted on the bulletin board here and on the website. Mrs. Robbi is also spreading the information around at preservation meetings.

Motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously to accept the resignation with sincere regret.

2) Trailer Deck Removed: The DPW removed the deck from the trailer and installed steps to both doors. They will continue to fix the unit (i.e., broken windows, wood repair), and a Construction Official from West Amwell will inspect it next Tuesday to determine structural security. Attempts to get an answer from the State Fire Inspector on storage of Styrofoam have been difficult.

3) Summer Playground: There has been a request to determine whether the program will continue this year so that advertisements of the positions can begin and plans can be made. The program is partially subsidized by fees paid by parents.

Motion by Mr. Van Horn, seconded by Mr. Mathews, and carried unanimously to approve summer playground for 2016.

4) Municipal Grounds: Deputy Mayor Sageser asked about removal of trees in the parking lot area. Mr. Matheny said that the area fills with water, and the existing trees, removed by the DPW, were in poor shape. The DPW may put some other type of barrier up between the lot and Route 202. Deputy Mayor Sageser asked about semi-trailers parked on the lot after hours, and Mr. Mathews asked about trucks distributing eggs on the lot. Mr. Matheny noted that it is public property, and the County has the site listed as a public park and ride area, so unless there are any laws being violated, the trucks can park. He agreed to contact the State Police, if the Township Committee wished. There was no comment from the governing body on this.

5) DPW Activities: Deputy Mayor Sageser commented favorably on the work being done by the DPW, saying that they have been doing a lot of work. Comments were made about \$800 for Cat Yellow paint to use on older Township equipment and work being done in house to keep equipment operational for more years. Mayor Wang-Iverson asked about work at the garage; Mr. Matheny said that it is now heated and nothing is frozen – “the floors are dry overnight, and the DPW is pleased.”

6) Property at 65 John Ringo Road: Mayor Wang-Iverson asked about the property. Mr. Matheny said that he is calling the bank every day, but the Construction Office in West Amwell is reluctant to send another Notice of Violation. Some comments were made about possibility of issuing a summons to Wells Fargo since no action is being taken, adding that while high penalties may be assessed, they may be reduced.

Mayor Wang-Iverson commented on Attorney Cushing previously advising that a lien could be put on the property and suggested going forth with a summons. Mr. Van Horn said that the property owner had to be notified first. The Mayor suggested waiting until after the budget is adopted to proceed and having Construction issue a violation.

Progress on the old barn on Old York Road is being made slowly. Mr. Van Horn commented on the possibility that an extension was given.

Mr. Matheny commented on the summons process, stating that the Judge will take care of this.

#### LEGAL OPINION ON CONFLICT OF INTEREST RE: THE RIDGE AT BACK BROOK (2/17 Opinion from Attorney Chris Norman)

Mayor Wang-Iverson commented on receiving this notice from Mr. Norman; the Mayor originally spoke with Mr. Cushing, who believed that Mr. Norman would be better suited to answer. Mr. Van Horn commented on the attorney finding no conflict of interest while making very clear what would be considered a conflict.

Ms. St Angelo agreed that the conflict as a Planning Board member is more appropriately discussed at that board when parties affected by the application and people interested in the application would be present. She felt that prolonged discussion on the issue should be at the Planning Board since the issue was a conflict with a small group of Planning Board members. Additionally, Mr. Norman would be there to answer questions about the opinion. A recommendation was made to have a more formal discussion at the Planning Board.

#### MAYOR'S UPDATE

Mayor Wang-Iverson said that there is a local farmer, Jared Flesher, who did the documentary movie *The Farmer and the Horse*, is working on a documentary called *Creature Show*. It will be done in installments, with categories such as bats, snakes, and other topics. The Mayor will include information on this on the Township's webpage.

**NEW BUSINESS****REQUEST FROM NATIONAL PSORIASIS FOUNDATION – CYCLIST EVENT ON MAY 21 – 100 Mile Ride Leaving from Unionville Vineyard at 6:30 a.m. (300 Riders)**

The Clerk reminded the governing body that this organization held a similar event through East Amwell last year, and there were no complaints received. Motion by Mr. Mathews, seconded by Deputy Mayor Sageser, and carried unanimously to approve the use of the roads for the event and provide the list of East Amwell requirements to the organizer.

**PROPOSED LANGUAGE – AMENDMENT TO CHAPTER 92 OF THE CODE OF EAST AMWELL RE: GOLF COURSES**

Mayor Wang-Iverson commented on the proposed language changes to the code regarding structures, a tennis court, and a pool on a golf course. He stated that the Township would be paying for the ordinance changes, adding that he worded the language from the Planner's memo and code language provided by the Clerk so that attorney review should be minimal.

Mr. Mathews asked why the Township Committee was changing the ordinance rather than sending the golf course to the zoning board. Mayor Wang-Iverson said that land use ordinances are amended by the Township Committee, and that is why these issues are before this Committee. Deputy Mayor Sageser noted that when the golf course originally came before the Planning Board for approval, they made certain agreements; they now are asking only for what a fundamental golf course might have, i.e., housing, swimming, tennis. There has been no application to construct, and if one does come through, the owner would have to go with conforming requirements and obtain the necessary permits.

Mr. Mathews believed that the golf course owner's attorney said that the units were more of a bed and breakfast type arrangement than residential units. He has been keeping up with Planning Board minutes. He again asked why there was no formal application to the zoning board. Mayor Wang-Iverson said that there was a formal application to the Planning Board for consideration.

Deputy Mayor Sageser explained that the fundamental problem was a specific component created for the golf course in the limited zoning opportunity. Mayor Wang-Iverson commented on the request for planned water testing and attendance limit on site that has to be determined by the Planning Board (part of their resolution). The other changes for the overnight houses, swimming pool, and tennis require a change in the ordinance. Deputy Mayor Sageser thought that this was the right way to proceed, saying that the Planning Board is looking at this as something similar to a country club with amenities; he believed that there would be no traffic or parking issues involved. Mayor Wang-Iverson noted that having these amenities will allow the golf course to expand its membership to geographic areas.

Mr. Mathews said that he was conflicted about taking action. Mr. Cushing in executive session previously advised against giving the appearance of quid pro quo because of the tax appeal. He also commented on the Planning Board resolution. Mayor Wang-Iverson said that the procedure would be for the Township Committee to introduce the ordinance, and then the Planning Board would pass their resolution of support; afterwards, the Township Committee would have a public hearing and adoption. Mr. Mathews was advised that the resolution included with the ordinance was for background information only.

Mayor Wang-Iverson said that no action was being considered tonight, and the language, which addressed proposed changes by The Ridge, was for discussion only. The language was adapted based on the October memo from Planner Banisch.

Mr. Mathews spoke about applicants putting up bonds to get a variance, saying that the process being proposed circumvents putting up a bond. He was told that the applicant would have to put up funds at the Planning Board level for an application. Mr. Mathews again asked why the applicant did not just go for a variance. Deputy Mayor Sageser said that anyone can request a zoning change. Mr. Mathews assumed that if they were not successful, they would then go to the zoning board.

Mayor Wang-Iverson said that these requests would have to be changed in the ordinance, according to Attorney Norman. Deputy Mayor Sageser felt that this was a better way to proceed, adding that the Board of Adjustment was a quasi-judicial board. He continued by saying that the legal advice was to be more up front, and with the planner review, it was more open with planning discussion than a Board of Adjustment application.

Mr. Mathews again commented on procedural questions, with Mr. Van Horn and the Mayor saying that this was the recommendation of the Planning Board. Mr. Mathews again noted his concerns with the conflict of interest since he was advised by his attorney about the appearance of quid pro quo. Mr. Van Horn suggested getting the Planning Board attorney to answer this.

#### PROPOSED REFERENDUM QUESTION FOR NOVEMBER BALLOT TO ENACT A ROAD IMPROVEMENT TAX

Mr. Van Horn spoke about the proposal, noting that there are road repairs needed on various roads and there is no money to make them. There was money in the budget to prepare five year plans several years ago, but no money to do the road work; he didn't think that there was any money in the current budget for road repairs either.

Mr. Van Horn noticed a question on the November ballot for High Bridge, i.e., a non-binding question asking residents if they would approve an increase in taxes for roads. Mr. Van Horn would like to put a similar question on the East Amwell November ballot, asking the residents about funding. He said that the Township can look at the engineering reports on priority roads. He explained that the capital budget cannot be used for chip seal programs (not a capital item), and there were a lot of roads that needed that type of treatment. He said the decision on the amount of tax could be decided, advising that the Township needs a certain amount of funds in the operating budget per year for chip seal, repairs, equipment for the work (e.g., \$200,000 or more). This would give the Township Committee additional funds without raising the cap, and it would be approved by the residents. If the question is voted down, then this would be his answer to residents that ask about road conditions, i.e., the tax was voted down. Mr. Van Horn commented on no money coming from the state for future funding and the probability of the state enacting a gas tax for road repair costs.

Mr. Van Horn agreed to draft the language, which will then be reviewed by Attorney Cushing and placed on the ballot for November for the residents to decide.

Mr. Mathews was not opposed to the question, but he asked about a bond to raise capital. He was told that the tax would be under cap. Additionally, chip seal or repair work cannot be bonded since it has less than a five year life span.

Mayor Wang-Iverson noted that the current road project list is around \$2 million dollars.

Ms. St. Angelo left the meeting at 9:45 p.m., and the Committee thanked her for her assistance.

Mr. Mathews commented on a four cent tax, equating to \$268,000; he asked about the road plan. Mr. Van Horn said that High Bridge incorporated roads as priorities in their question. He stated that there were engineer studies done and some roads would require preventive work, not reconstructive work, which the DPW could do. This year, there is only \$20,000 in the budget for repair work by the DPW.

Deputy Mayor Sageser noted that many roads are beyond preventive action. Mr. Miller commented that many residents don't come out to vote. Mr. Van Horn said he would prefer to ask the residents, whether they say yes or no. If no, then they can take responsibility for the road conditions.

Mr. Mathews commented on asking the engineer for the current list of roads. Mr. Matheny explained that when the engineer is looking for grants, he looks at the roads with an eye on what the state is looking for to "fit" the requirements of the grant. He further commented on it being "hard to pick a bad road ... all are bad." He said that the DPW does what work that they can, e.g., work on Rainbow Hill Road reconstruction. The chip seal program will make a road last

longer, but there is never any money for this program and therefore a whole road rebuild is usually the next option.

Mayor Wang-Iverson said that this discussion will continue at the next meeting, and he asked that a list of roads be obtained from the engineer and DPW. Mr. Matheny will get this for the next meeting.

Mr. Van Horn commented on the High Bridge question having a sunset clause; Mr. Mathews liked this idea.

Mayor Wang-Iverson thanked Mr. Van Horn for providing the information for the Township Committee's consideration.

**OPEN TO THE PUBLIC**

Frances Gavigan, 123 Wertsville Road, commented on items beyond the appearance of conflict, including encumbering funds before The Ridge hearings, commenting on the Planning Board process that the entire Township Committee may not be aware of. She commented on a vote by the Planning Board at their next meeting, and a statement by Joel (Moore) in June or July (last year) regarding having the cottages for tournaments as a requirement. Deputy Mayor Sageser said that this was not said, and the owners of the golf course want them as part of a first class golf course. Ms. Gavigan said that there was no escrow posted by the applicant prior to September 2015; Mayor Wang-Iverson said that the Planning Board Administrator handles escrow postings. Ms. Gavigan also mentioned spot zoning "and layers of exposures" to be aware of, including having Mr. Buckwalter (a Planning Board member) stepping down.

Ms. Gavigan asked about various bills on the bill list, whether paid by the Township or through escrow, and a question about an inter-fund transfer.

Ms. Gavigan commented on raising taxes and granting leeway for an additional tax (discussion earlier tonight), saying that this all depends on the committee members who are here. On a question, Mayor Wang-Iverson said that the proposed tax increase is about \$40, with the rate going from .184 to .195. Some comments were exchanged by Ms. Gavigan and the Committee members regarding the proposal of the tax question on the ballot to allow resident input.

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

**EXECUTIVE SESSION - None**

**ADMINISTRATIVE REPORTS**

TREASURER PASQUA presented bills of the evening. Motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously to approve the bills of the evening.

Treasurer's Resolution:

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**RESOLUTION #34-16**

**Resolution - Cancellation of Driveway Bond**

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby authorize the CFO/Treasurer to release a check in the amount of \$1500, originally posted in 2002, to William King III, 247 Nassau Street, Princeton, NJ 08540 as cancellation of a driveway bond for Block 38, Lot 16, on Ridge Road.

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 Deputy Mayor Sageser, and carried unanimously to approve the resolution.

TAX COLLECTOR HYLAND presented her monthly report.

There was no State Police report for February. All other reports were acknowledged without comment.

**CORRESPONDENCE**

Mr. Mathews asked about the string of emails regarding the Dumpsters at 30 Back Brook Road. Mayor Wang-Iverson sympathized, but he said that the Township cannot make the owner of the property move the Dumpsters on his own property. He has spoken with the Zoning Officer, the Engineer, and the Township Attorney about this with no solution available since the owner is not violating any laws.

**ADJOURNMENT**

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

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Teresa R. Stahl, RMC/CMC  
Municipal Clerk