

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 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 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 June 7, 2016.

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

AGENDA REVIEW

Under Consent Agenda Items, table both ABC Licenses and NORWESCAP/Rehabilitation Extension. Supporting items are still unavailable.

Under Public Hearing- add the 6/8 Planning Board Chapter 26 Resolution supporting Ordinance 16-04.

Under New Business, add receipt of 2015 Audit from Supplee Clooney. This item will also be on the July 14 Township Committee agenda.

Under Correspondence, add the June 8 email from Attorney Cushing re: Verizon Ordinance.

ANNOUNCEMENTS

Municipal Offices will be closed on Monday, July 4.

Summer Playground will be held at East Amwell Township School from July 5 – July 29 and is open to all East Amwell Children who have completed Kindergarten thru 8th grade. Look for information on the East Amwell website.

UPDATE FROM THE CFO

CFO Margaret Pasqua commented on completing the exit conference with the auditors. She pointed to the blank "recommendations" page of the audit, which is what municipalities strive for.

SPECIAL DISCUSSIONS

GOVERNMENT ENERGY AGGREGATION Presentation by Gary Swantner, Accounts Manager, Good Energy, LP, in Philadelphia.

Mayor Wang-Iverson mentioned meeting Mr. Swantner at the recent Conference of NJ Mayors, and he felt that it was a good idea to have a presentation for the governing body.

Mr. Swantner provided some handouts, including NJ Government Energy Aggregation Frequently Asked Questions; a June 8 press release re: Saving NJ Communities Nearly \$3 Million in Energy-Related Costs; an eight slide PowerPoint presentation; and a time line, should the Township decide to pursue aggregation through Good Energy.

Mr. Swantner provided information on Good Energy as one of the largest aggregation companies in the US with service in Illinois, Texas, Massachusetts, and New York. He spoke about a recent aggregation project in Gloucester, Winslow and Somerdale, NJ. New Jersey has one of the highest rates for electricity in the country with homes being 20% larger than across the nation;

although the average usage is about 9,000 kWh per year, NJ pays more money for less usage nationally.

As an example, Mr. Swantner provided information on the aggregation of Gloucester, Winslow, and Somerdale, showing “price to compare” from Atlantic City Electric (ACE) and PES&G showing a difference of \$83/year and \$81/year difference in going with the aggregation. The effect is across the board a savings of \$3.5 Million over the fourteen month contract period with this money staying in the communities rather than paying for electricity. Transmission and distribution fees do not change, but generation fees are negotiable. Various utility companies change their fees 2 – 4 times a year, but once a price is locked in an aggregation contract, it remains stable until the next contract is ready. The state has deregulated, and residents can choose their type of energy, e.g., green, brown, RECS, etc. Based on the economics of the Gloucester, Winslow, and Somerdale agreement, Mr. Swantner speculated that East Amwell could possibly save \$160,000 a year for the 2,000 households in the community.

Mr. Swantner said that there were certain steps in the long process to aggregate. He mentioned that it took two years for a contract in Somerdale because savings were not significant enough, i.e., Good Energy will not go out to bid unless there is at least 75% savings per household in the market.

The timeline provided by Mr. Swantner showed that the governing body would first introduce an ordinance, which is written by Good Energy. Afterwards, the municipality would hire Good Energy as their consultant; NJ requires government aggregation in NJ to be through public offices, and Good Energy is part of the Middlesex Regional Educational Services Cooperative, now known as Education Services Commission of New Jersey. East Amwell already is a member of the cooperative. Once Good Energy is hired as a consultant, they would obtain data from the utilities for all the households in the township, including those who are already with 3rd party suppliers. It would take about two months to get all this information.

After that time, Good Energy is ready to find a suitable market; Mr. Swantner once again insisted that the company would wait until the market was favorable. Good Energy would prepare bids, which have to be approved by the NJ Bureau of Public Utilities (BPU), and then be advertised. The bids would be based on numbers, load factor, and price, along with a length of time for the contract. Sometimes, bids can be renewed, or another market would be pursued. Once a bid is approved, Good Energy would notify residents, and a 30 day opt-out period begins. Residents would be enrolled on their regular cycle in the program for a term that is decided.

The Committee asked Mr. Swantner to explain the opt in/opt out process. Mr. Swantner explained that suppliers would want to know how big of a supply that they would need with a 5% option being average. It wouldn't make sense for the company to sign on for 5% opt in, so the premise is that 5% would opt out. He reminded the governing body that people will save money on their energy costs, whether they notice it or not. If a resident already purchases from a third party, they are part of a group that is “scrubbed out.” They will not be included in the transfer but would be able to opt-in, once their current contract with the third party expires. Additionally, if a person doesn't like something about the program, they can opt out at any time.

Mr. Swantner referenced the sheet with Frequently Asked Questions, noting that renewable energy is big in NJ and options were available. He also mentioned a lot of people with solar energy who might opt out. Municipalities decide what options they wish. Mr. Swantner mentioned some municipalities that have energy aggregation, including a recent program in Flemington and Raritan, along with the three municipalities he mentioned earlier in the presentation. He further mentioned that his company would get do the bids for the service and would not agree to a bid unless it was cost effective for the municipality.

Mr. Mathews felt that this was a good presentation asking if Good Energy was providing service to Flemington-Raritan; it was not. Mr. Swantner mentioned two other companies, CUC in West Chester and Gable as other companies who provide this service. Mr. Mathews asked how the company made money. Mr. Swantner explained that kilowatt hours of electricity are a commodity with a .00095 commission for the aggregate load; Middlesex would receive .0002 and Good Energy would get .00075 per kilowatt used. He explained that residents pay a \$6-7 commission for an \$80 savings per year.

Mr. Mathews asked about communication with the residents showing what they have now and what they will get; Mr. Swantner said the economics would be shown so residents will decide how to proceed. Mayor Wang-Iverson asked about billing; Mr. Swantner said that bills would come through JCP&L or whoever is their electric company. He explained that auto payments would remain the same and there would still be budgeted billing.

Deputy Mayor Sageser asked about rebidding. Mr. Swantner said that the company would go out to bid 4-6 months before the contract ends to see what the market bears to make sure that it is favorable. In some cases, they have gone out 8 months prior to contract end if markets were good. The hope is that the process would be a "seamless transition" from contract to contract. The Mayor asked about Flemington-Raritan savings; he believed that it went from 10.2 cents to 8.9 cents.

Mr. Van Horn asked about Good Energy's role as the consultant. Mr. Swantner said that there would be no up front cost to the municipality (no out of pocket expenses), just the commission on the wattage. The company would advertise the bids, receive them, process legal review, etc. Being part of the Middlesex Cooperative provided this advantage to the Township. Mr. Matheny explained that the Cooperative does the legwork, and the Township has been a part of this group for some time.

Mr. Swantner explained that purchasing in bulk would equate to better savings, i.e., the more houses, the lower the rate. He mentioned Woodbridge and Edison as an example, where they pooled together for a larger population. Specs were reviewed by the BPU, and together they formed a larger buying group. Deputy Mayor Sageser asked about limitation with whom the municipality could pool; Mr. Swantner said it was up to the municipality to decide.

Mr. Van Horn asked about any increase in opting out with houses with solar. Mr. Swantner said no, adding that residents with current third part providers are "scrubbed out" anyway.

A resident in the audience (recognized as Will Harrison) explained that he has climate day service, i.e., JCPL has different prices for on peak and off peak usage. He has saved thousands over the years by adhering to operating his house efficiently by cost and electrical usage. Mr. Swantner suggested that he would probably want to opt out after he looked at his bill in comparison with what the aggregate energy company would provide.

Another unidentified resident said that having three children in a home would make it difficult to adhere to the climate day service.

A resident (recognized as Frances Gavigan) asked about up front costs for the consultant if they were hired like Gable for Flemington-Raritan. Mr. Swantner said nothing. He mentioned that Gable and CUC operated under reversed options, which didn't always result in the best pricing. He explained this method as bidding down instead of up with a sealed bid process, and he elaborated on this process. Ms. Gavigan mentioned West Amwell/South Hunterdon cost of .08941 and Flemington-Raritan at .08667. Mr. Swantner said that they have not worked in any JCP&L areas yet, only ACE and PSE&G; Ms. Gavigan asked about rates going down for JCP&L because of solar, adding that the South Hunterdon group is in their second round.

The Committee thanked Mr. Swantner for his presentation with the Mayor saying that the Committee "would take this up again." Mr. Van Horn said this would not save him money but some people may like it. Mayor Wang-Iverson was uncomfortable with the opt-out process, but agreed that residents may be interested. He believed that something should be prepared for the VIP.

COAH (AFFORDABLE HOUSING)

Attorney Cushing said that there wasn't too much new, although Betsy McKenzie, a planner from Flemington, was appointed Special Master for the Vicinage 13 group. There will be a meeting on June 16.

Mr. Cushing said that the process is continuing with planners, witnesses, and lawyers all being involved. Some settlements have been made upon working out issues with Fair Share Housing; a

couple of towns did well with a 30% obligation reduction as the template. East Amwell has a number of 182 prospective, and this would equate to 127. However, the municipal expert, Econsult, believes East Amwell’s figure to be 0 with no gap or 9 with a gap period. Mr. Cushing believed that the Planning Board, with input from Planner Joanna Slagle, would discuss this.

Mayor Wang-Iverson commented on negotiations with Fair Share Housing, the Master, and the Judge. Mr. Cushing also mentioned legislation proposed in Trenton to eliminate the gap period. He believed that if this passes, Fair Share Housing would challenge it and would go to court.

A resolution to support the legislation to eliminate the gap period was offered.

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RESOLUTION # 63-16

**A RESOLUTION IN SUPPORT OF SENATE BILL S-2254 AND ASSEMBLY BILL A-3821
WHICH AFFIRMS THE LEGISLATIVE INTENT
OF THE FAIR HOUSING ACT**

WHEREAS, the Township of East Amwell supports the provision of affordable housing in a reasonable, rational and achievable way, consistent with economic realities and sound planning; and

WHEREAS, pursuant to the March 2015 New Jersey Supreme Court order which transferred oversight of the Fair Housing Act (FHA) to the courts, hundreds of municipalities filed declaratory judgment actions to voluntarily comply with their State imposed affordable housing requirements; and

WHEREAS, recently the Ocean County Superior Court included a distinct “gap period” analysis retroactively over an additional 16 year period, separate and apart from the normal 10 year present and prospective need; and

WHEREAS the Fair Housing Act (FHA) and existing case law, requires that “present and prospective fair share of the housing need in a given region ... shall be computed for a 10-year period.” [N.J.S.A. 52:27D-307(c)]; and

WHEREAS, the “gap issue” arises out of COAH’s inability to promulgate third round regulations from 1999 to the present or make any final determination as to state and regional housing need, as well as constant litigation by certain groups; and

WHEREAS, any retroactive “gap” obligations could have significant and unfunded impacts on municipalities, may double count households under both present and prospective need and will likely result in forcing municipalities and their property taxpayers to subsidize development; and

WHEREAS, Senate Bill S-2254 sponsored by Senators Greenstein and Bateman and Assembly Bill A-3821, sponsored by Assemblymen DeAngelo and Benson, re-affirm the legislative intent of the Fair Housing Act so as to preclude significant, unfair impacts and instead progress toward a more rational statewide housing policy, including reasonable and achievable obligations for municipalities, facilitate municipal compliance and the provision of affordable housing.

NOW, THEREFORE, BE IT RESOLVED, on this 9th day of June, 2016 by East Amwell Township in the County of Hunterdon, that:

1. East Amwell Township strongly urges New Jersey Legislators to reaffirm the legislative intent of the Fair Housing Act (FHA) immediately and clarify that affordable housing need is the sum of present and prospective need for a ten year period.
2. East Amwell Township supports Senate Bill S-2254 and Assembly Bill A-3821.
3. Copies of this resolution be distributed to the Governor and Lieutenant Governor, the President of the New Jersey Senate, the Speaker of the New Jersey General Assembly,

the Legislative Sponsors Senator Linda Greenstein, Senator Christopher Bateman, Assemblyman Wayne DeAngelo, Assemblyman Daniel Benson, and Assemblyman Anthony Bucco, Senator Jeff Van Drew, Senator Ronald Rice, Assemblyman Jerry Green and Assemblywoman Mila Jasey and the New Jersey League of Municipalities.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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

KLEINSCHMIDT PROPERTY

Mayor Wang-Iverson asked if there was anything from the title company regarding this property; Mr. Cushing has not had any word yet.

STANDING COMMITTEE REPORTS

RECYCLING COMMITTEE - Chair Will Harrison was present at this time. He read a report into the record, as follows:

RECYCLING COMMITTEE Report 6/9/2016

The Recycling Committee continues to carry out our usual operations. Athletic field use is down this year as the baseball people have merged with Raritan Township so our work load is also down in that area.

The Recycling Committee is continuing to collect Styrofoam® and items that East Amwell School collects for TerraCycle.

Meeting attendance is down and we failed to assemble a quorum twice this year. But we still are fully functional, conducting the monthly depots and Spring Cleanup successfully.

The transition to Premier Disposal this year has produced a few problems which Tim Matheny and Charlene Santo are working on to improve the service along with better communication. SWAC has finally been able to reorganize for 2016, on May 31. Alan Johnson has been away but Jennifer O’Sullivan and Tadhg Rainey represented the County. (Complete report will be submitted separately).

I’ve saved the best for last! Just last Saturday we accomplished something that is unique: At no cost to the Township or the public, we were able to collect air conditioners along with dehumidifiers, small refrigerators and one water cooler. Many thanks are due to Les Blake of Flemington Air Works who agreed to come as a public service only gaining the collected coolant plus the small payment for recycling the metal components. I haven’t heard of any other similar gesture before.

How did this come about? Mike Petrus met Les Blake at Home Depot and, striking up a conversation, the two agreed that the event we just carried out might be a worthy experiment. It proved to be just that and at last count Les took away 50 units (he needed two trips to do this). Will we be able to repeat this event at a future date? That remains to be seen; we’ll certainly keep the door open.

Mayor Wang-Iverson thanked Mr. Harrison for the report, adding that the air conditioning collection (at no cost) this past week was helpful for the residents and it was hoped that it would be done again. He will write a letter of appreciation to the company owner.

APPROVAL OF MINUTES

Minutes of May 12, 2016, were approved on a motion by Deputy Mayor Sageser, seconded by Mr. Mathews, and carried unanimously with the following corrections: page 7, paragraphs 4 and 5, first line, change name from “Miller” to “Miles”; page 8, last line change figure from “\$15,000” to “\$17,000”; page 9, second paragraph, first line and fifth lines, change “Ag Committee” and “County” to “County Open Space Committee”; page 21, resolution 56-16, reverse “Barrick” and “Adamow” with salaries shown.

Mr. Mathews asked whether Mr. Cushing had any information on page 12 about COAH and the per capita reimbursement; Mr. Cushing will get this information.

OPEN TO THE PUBLIC

The meeting was open to the public for comments not on the agenda. There being no comments, motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously to close to the public.

CONSENT ITEMS

As mentioned at agenda review, documentation for both items (NORWESCAP and ABC Licenses) were not yet available. On a question, the Clerk explained a new state licensing system for ABC licenses that involved a learning curve. She hoped that there would be a special meeting before the end of June to issue the only two licenses to the Township if their information was submitted. Mr. Van Horn was not supportive of a special meeting while Mr. Mathews commented favorably on having one.

PUBLIC HEARINGS/INTRODUCTION OF ORDINANCES

Public Hearing:

ORDINANCE #16-04 AN ORDINANCE OF THE TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, FURTHER AMENDING SECTIONS 92-4 AND 92-91 OF CHAPTER 92 (LAND MANAGEMENT) OF THE CODE OF THE TOWNSHIP OF EAST AMWELL REGARDING GOLF COURSE DEFINITIONS AND AMWELL VALLEY AGRICULTURAL DISTRICT PERMITTED PRINCIPAL USES

As proof of publication, the Clerk provided the legal notice from the Hunterdon County Democrat of May 19, 2016. The ordinance has been posted and available to the public since introduction on May 14, 2016. The Planning Board provided their resolution of conformance and consistency with the Master Plan, adopted last night, and they favorably recommended the adoption of this ordinance.

The meeting was open to the public for comments.

Tim Willey, 25 Burd Lane, has lived in East Amwell for over 22 years and is a taxpayer. He thanked Mr. Miller and Mr. Mathews for abstaining in the vote to introduce this ordinance, and he thanked the Clerk for publicizing the ordinance. He had some big issues with the ordinance, adding that he worked at a golf course in Hopewell in maintenance. He felt that the pool being installed at the golf course would be an Olympic one, requiring 200,000 gallons of water and another quarter of million gallons to maintain it. He was concerned that the golf course would use their well rather than truck in the water as needed. He also voiced concern about backwashing the pool with all the farms around the area.

Mr. Willey spoke about the installation of the tennis court and about the possible installation of a hydro-court system at this golf course, similar to the one at the Hopewell site. It would require another quarter of a million gallons of water to maintain. On a question, he explained this type of system as a plastic lined court with ¾” gravel blend and clay with each court having a separate

valve system for irrigation. Even if this type of system was not installed at the golf course, Mr. Willey said that any tennis court would affect the impervious surface of the lot and have the potential to restrict water from recharging the aquifer.

Mr. Willey spoke about the two 6,250 square foot buildings for a total of 12,500 square feet of space for 16 people. He felt that this was a lot of space and asked who would be monitoring the number of people using the facilities. He mentioned turning farmland into hotels. Deputy Mayor Sageser said it would be for members only, and Mr. Willey asked if the Township would take the owner's word for it. Mr. Willey said that West Amwell is doing a better job for East Amwell than Raritan Township in overseeing construction but asked who would monitor conditions at the golf course. Deputy Mayor Sageser said that all of these points were discussed at the Planning Board, but Mr. Willey said that he came tonight to speak at the public hearing.

Mr. Willey asked why the Township was passing an ordinance rather than having the owner apply for a variance, adding that there were changes to the environment from farmland to a golf course. Mayor Wang-Iverson said that this was done upon advice from the Planning Board counsel, and Deputy Mayor Sageser said that there was only one golf course in the township and either way would take just as much review. Mr. Willey commented on the owner of the golf course having a lawsuit for taxes and "asking you to pass an ordinance." Deputy Mayor Sageser asked about the Hopewell golf courses and whether variances were granted; Mr. Willey said the pool at that location was already there since 1950. Deputy Mayor Sageser said it was a good point, i.e., owners of golf courses in NJ have pools and tennis on their facilities. Mr. Willey said that this might have been so in the 1950's, but the Township's logo shows farmland. He voiced his concern that the township depends on water for houses and farmers for their livelihood, and he felt that this "was a bad way to go... it doesn't reflect East Amwell the way they want it portrayed... I am disappointed that you three went this far."

Noreen Bailey, 129 Back Brook Road, said that she couldn't stay for the full Township Committee meeting last month but she read the ordinance and was very interested in what was said about the tennis court and pool. She asked about "related facilities" to the pool, adding that it was very broad. She was also concerned about the Township's light ordinance.

Mayor Wang-Iverson said that whatever the owner chooses to build would require building permits, zoning review, impervious surface review, and meet all township requirements. Mrs. Bailey said that sound travels, adding that the golf course could have activities well into midnight.

Mrs. Bailey spoke about a 6,250 square foot cottage with four bedrooms, adding that there are not a lot of houses that size. Mayor Wang-Iverson said that there was a 14,000 square foot house near where he lives. Mrs. Bailey questioned the intent to use them for overnight guests; Deputy Mayor Sageser said that this was all part of the presentation to the Planning Board, i.e., the members can hold meetings there and have guests and use it as a retreat. Mrs. Bailey thought that "it was crazy" to build something that size; Mayor Wang-Iverson said that the owners may not build that size, but if they do, they would have to meet all requirements. Mr. Willey added that a variance could have been sought to make decisions on the various requests.

Mrs. Bailey continued by saying she accessed the website for The Ridge, which showed that it was "a golf oasis." She questioned making changes for a private entity. She believed that the pool and tennis could be related but should be spelled out better, but she felt that the 6,250 square foot building "is ridiculous." She hoped that the Township would listen.

Frances Gavigan, 123 Wertsville Road, said that she has attended hearings and has gone through files. She mentioned "Mr. Gordon referring to the Township approaching him to make the business better." She commented on the following: the owner of the course being in East Amwell for a certain amount of time; residents here being of a certain age; an ordinance that goes with the property and zone and the owners of the course doing what makes most sense for their business; the business that's changed and morphed; the 6,250 square foot cottages being necessary for tournaments; tennis and swimming pools with related facilities on 300 acres of land; the Diamond Nation assemblage elsewhere; an ordinance that doesn't limit ratio; the potential for weddings and retreats as an opportunity for revenue since memberships can't be sold; sympathy for the owner because of business issues but putting a burden on people who will be living with the changes; neighbor disputes next to the golf course.

Ms. Gavigan continued, as follows: she attended the site walk to see the areas where pools and cottages were being considered. She did not feel that there was clarity on what could not be done, e.g., any conferences, any rentals, needs for golf pros who are not members of the club, etc., concluding housing was a “luxury hotel.”

Deputy Mayor Sageser said that parking is restricted, and a variance would be needed if more parking was being sought. He did not see this as a luxury hotel with a limit of 250 people now. He was comfortable with the golf course’s presentation, adding that the Jack Cust property was a different type of operation. He did not see the golf course as an enemy and that the property could have been developed; he felt that the owner worked with the Township, is a very good member of the community, and “saw no reason to treat him less favorably.” Ms. Gavigan said that the Township did not treat horses that way; Deputy Mayor Sageser said this was not true and the Township worked with them.

Mr. Willey asked about parking and monitoring, saying that Pandora’s box was opened.

Mr. Mathews said that he has been quiet on this. However, a litigation situation was on-going and if the owner’s taxes are lowered, this will make his case better, i.e., capital expenses drive down profit and loss, cost basis is higher, and revenue will not go back up. He believed that the matter could be handled in a different way, although the attorney approved the ordinance process. This is why he abstained from voting and let the other three Committee members make the decision.

Ms. Gavigan and Deputy Mayor Sageser exchanged comments, with Ms. Gavigan asking Mr. Cushing about her right to speak. She continued by saying that she is entitled to her opinion and she does her homework. She felt that she was being treated rudely and attacked, which was unprofessional. She believed that public officials should adhere to a certain level of behavior, and this is why she tapes all meetings.

Mayor Wang-Iverson asked if there were any further comments on the ordinance.

Ms. Gavigan commented on it being a done-deal six months before the application was received with bills from Mr. Banisch before an escrow account was established.

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

Motion by Deputy Mayor Sageser and seconded by Mr. Van Horn to adopt Ordinance #16-04. Motion was carried upon roll call vote: Mr. Van Horn, yes; Mr. Miller, abstain; Mr. Sageser, yes; Mr. Mathews, abstain; Mr. Wang-Iverson, yes.

Introduction of Ordinances – None

SPECIAL COMMITTEE REPORTS – None

UNFINISHED BUSINESS

TOWNSHIP ADMINISTRATOR’S UPDATE

1) Award of Bid for Zion Road: Mr. Matheny said that the work included reclamation of the road, and bids were received on May 18th. There were three bidders. (For the record, the other two bidders were Top Line Construction Corp. at \$288,340.98 and Glen G. Gale Inc. at \$246,234.40.) The lowest bid was DeSantis Construction Inc. at \$225,781.73. The work will include the \$160,000 grant from NJ DOT. Attorney Judy Kopen has reviewed the bids, and they are satisfactory. Mr. Matheny recommended the award to DeSantis Construction.

The Clerk explained that there were still some outstanding items with the insurance requirements, which the company was working on. Mr. Cushing provided a brief explanation of what the requirements might involve, saying that they can be worked out or the bid rejected.

Mr. Mathews asked about the economy of the project; \$160,000 will be from the state grant and the \$65,700 is already factored into the 2016 budget in part of the BAN.

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RESOLUTION #64-16

BE IT RESOLVED by the Township Committee of the Township of East Amwell that, based upon the recommendation of the Township Engineer and the notification by the Township Attorney that bid documents are satisfactory, the following bid is authorized, provided appropriate insurance information is provided:

**ZION ROAD IMPROVEMENTS FROM LINDBERGH TO
SPRING HILL ROAD, EAST AMWELL TWP.**

DeSantis Construction, Inc.
491 Elizabeth Avenue
Somerset, NJ 08873
In the amount of \$225,781.73

BE IT FURTHER RESOLVED that the contract and bid documents are available at the Clerk’s Office for public review during regular business hours.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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Motion by Mr. Mathews, seconded by Mr. Miller, and carried unanimously by roll call vote to approve the resolution of award, based on proper insurance documentation being provided: Mr. Van Horn, yes; Mr. Miller, yes; Mr. Sageser, yes; Mr. Mathews, yes; Mr. Wang-Iverson, yes.

2) 65 John Ringo Road: Mr. Matheny said that work is complete with the foundation demolished and ground filled in. Permits were drawn and work overseen by Wells Fargo. Mr. Matheny commented on the process and the Township’s assistance in getting quotes with no municipal funds being necessary for the work.

3) May 24th Meeting re: Railroad Work at Toad Lane: Mr. Matheny commented on attending this meeting with DPW Superintendent Silverthorn. Updates will be made to the railroad crossing on Toad Lane using federal funds. Work includes replacing blacktop with cement, installation of LED lights, a reflective crosswalk, inlets and drainage. The NJ DOT will oversee the work to be done in November 2016 over a course of about five days. Markings will have to be maintained by the municipalities.

A question was raised about the Black River and Western Railroad line to Lambertville; it was noted that a significant amount of track work needs to be done before it’s operational.

4) Tax Bill Mailing Inserts: The Farmland/Open Space Preservation Committee prepared the text to accompany their annual map to be included in this mailing. Mr. Mathews suggested striking the sentence that the money would be used for rehabilitation of historic buildings, stating that he has the 1998 minutes and the actual question for the four-cent tax. Some discussion took place regarding this issue, including former Attorney Dieterly specifically listing farmland acquisition and debt as appropriate uses of the fund; Mr. Cushing read the existing ordinance which included use for historic and recreational items; the Farmland/Open Space Committee will be asked about this. It was agreed that language referencing the Clawson House will be removed from the Farmland narrative text.

5) 12 Iron Horse Drive Easement: The property owner is agreeable to signing the easement over to the Township to do drainage work; he has it in hand and will have it notarized and returned.

MAYOR'S UPDATE

Mayor Wang-Iverson mentioned that Steve Souza from Princeton Hydro would be present at the July Township Committee meeting for an update on the Clawson Park drainage work.

The Mayor, along with Planning Board Chair Don Reilly and Deputy Mayor Sageser, met with Mark Saluk of the Hunterdon County Economic Development Department to get acquainted and discuss possible opportunities to work on economic development in the Township. He was given a copy of the Ringoes Village Study to review. Mr. Saluk's experience is in larger scale development than what East Amwell is looking for, but as an example, the Township would be looking for active smaller companies with integrated clinical systems, software companies, etc. Scientific Instruments, a company outside the village, is a clean operation that functions well in its location. It was noted that there are not many rehab areas for businesses in the village area, but it was important to get feedback and it was a good conversation with Mr. Saluk. The possibility of getting guidance on how to recruit businesses in the village was mentioned; a bike shop was offered as one example.

Deputy Mayor Sageser spoke about continuing to encourage the County to return the library to the village area. Mayor Wang-Iverson mentioned a presentation that he and Deputy Mayor Sageser made to the County on May 20 showing circulation data from South County Library; another letter of rejection was received from the County, adding that they were satisfied with the West Amwell location and didn't care about the data. The Mayor said that next steps will be identified.

Deputy Mayor Sageser added that Mr. Titus said if South County circulation dropped off more, they may consider closing that branch. He added that a number of towns have affiliate libraries, such as Tewksbury and Three Bridges, and the County only operates the main library, South County, and one in Clinton. Mayor Wang-Iverson added that the towns would operate the affiliate libraries at their expense and pay a library tax to be part of the system. The tax now is \$225,000. Even if East Amwell explored an affiliate facility at the Dilts property, it may not make sense to operate two libraries within four miles if the County keeps South County Library open, and it may not be cost effective.

SPECIAL EVENTS ORDINANCE

Mayor Wang-Iverson said that Mr. Matheny has done a lot of research on draft ideas, and the Committee will talk more about this at the next meeting.

CONTINUED DISCUSSION ON NON-BINDING REFERENDUM QUESTION FOR SEPARATE ROAD REPAIR TAX

Mr. Van Horn spoke about input from the Clerk and discussions with the CFO, Deputy Mayor Sageser, and Mr. Matheny about different options for the proposed question. Auditors and bond counsel are also on board, if the engineer agreed, that a proposed chip seal program could be done under the capital fund to avoid the \$15,000-20,000 for a special election if it came to that. The capital improvement fund is outside the cap and a question would not have to be put on the ballot. Mr. Van Horn suggested adding monies for a tax increase in the normal budget process and adjusting the amount spent on road improvements to cover expenses in the capital improvement fund. A capital ordinance could be approved by a majority of the Township Committee with a certain amount of money to be raised, such as one or two cents, rather than have a public question. Mr. Van Horn continued that the governing body was led to believe that they could not bond for road improvements for chip seal, but this is not the case. He felt that it would not make sense to have a public question when this other method was available.

Mr. Mathews asked Ms. Pasqua if this amount would be in the annual BANS. Ms. Pasqua said that it would not be in the BANS, and if the amount decided was, for example, \$220,000, this

amount would be basically added to the capital improvement fund and this amount would be outside the cap.

Mr. Mathews referenced the 1998 tax question, adding that the situation that the Township is in currently is that bonding exceeds what is being brought in the Open Space Trust. He suggested the possibility of increasing the open space tax for the level of expense and lowering it as needed to bring in money for debt, not using the general revenue to subsidize debt, and use that general revenue for road work. Mr. Mathews asked the governing body if they would be willing to increase the open space tax amount for the ballot to adjust the tax figure, based on current charges. Mr. Miller clarified the possibility of looking at debt each year and what needs to be done for roads and do an appropriate tax each year.

Mr. Mathews continued by saying that the current bond should be over in 2019. Ms. Pasqua mentioned that current BANS would eventually become bonds. On a question, she said that there is \$270,000 in open space trust tax but \$400,000 was budgeted for debt this year. Mr. Miller clarified raising the tax to cover debt and not to fix roads. Mr. Mathews continued by saying that raising the open space trust fund tax would pay for debt and not affect the operating budget and adjusting the tax annually might be an option. Ms. Pasqua said that there is \$260,000 a year taken in for the Open Space Tax. Currently \$400,000 from the Open Space Trust Fund is used to fund the budget, and \$200,000 is used from the operating budget towards debt service, which is about \$500,000-600,000. If you raise the open space tax, it only stabilizes the open space account. Ms. Pasqua added that not all debt is for open space, although about 90% of it is in that category.

Mr. Mathews said that he would like to see open space tax “neutral” and use general budget money for other items, such as roads. He said it was an alternative way to consider the ballot question. He recognized Les Hamilton in the audience who served on Township Committee previously when the tax question arose.

Mr. Hamilton mentioned the Committee at that time knew that future Committees might adjust the tax accordingly.

It was agreed that the tax for road chip seal was now “off the table” and would be handled through a capital ordinance.

Mr. Mathews again suggested a different question to ask for an increase in the open space trust tax, suggesting 8 cents as a possibility. Mr. Cushing was unsure if there was a cap on the amount that a municipality could ask for this fund. Mayor Wang-Iverson concluded that the Township Committee would think about this suggestion.

Mr. Cushing left the meeting at 9:35 p.m.

(After the Kleinschmidt Property Update below) Mr. Mathews distributed two tax questions, the 1998 question and a proposed 2016 question, for Township Committee consideration. He added that when debt is paid for, the amount drops down but never goes away. It would be subject to law and could be reduced over time.

KLEINSCHMIDT PROPERTY UPDATE (Continued) , BLOCK 17, LOT 1, 2 OLD YORK ROAD

Mr. Matheny said that the asbestos removal contractor was on site today but there is no estimate cost yet. He has also spoken with the demolition man, but because of the asbestos conditions, it may be treated as a separate process. Asbestos is removed into a separate Dumpster at a per pound cost.

NEW BUSINESS

2015 AUDIT The audit was distributed to the governing body this evening, and the resolution to accept will be on the July agenda.

OPEN TO THE PUBLIC

Frances Gavigan, 123 Wertsville Road, asked about parking at the Dilts House if a library was built there; she was told that there is parking for 27 cars on the property with a driveway that can be built off of Wertsville Road.

Ms. Gavigan asked for a copy of the tax questions; she was told that they were draft documents until the full Committee had time to review.

Ms. Gavigan said that she previously told the Township Committee that they could do a capital ordinance for chip seal. Deputy Mayor Sageser said she was correct, however, the Committee had relied on advice that their professionals provided. Ms. Gavigan said that she does her homework, and Mr. Mathews said that he wished that there were more residents with her tenacity and interest. Ms. Gavigan explained that is why she brings a camera to record and getting information on the internet was important.

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

EXECUTIVE SESSION - None

ADMINISTRATIVE REPORTS

TREASURER PASQUA presented a resolution to include the NJ Clean Communities funding into the budget.

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RESOLUTION #65-16

FORM OF RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION – NJS 40a:4-87

Township of East Amwell
Hunterdon, New Jersey

Certified to the Director of the Division of Government Services

WHEREAS, NJS 40A:40-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget or any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of any item of appropriation for the equal amount;

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of East Amwell in the County of Hunterdon, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$17,879.51, which is now available as revenue from NJ DEP Clean Communities Program Grant in the amount of \$17,879,51.

BE IT FURTHER RESOLVED that the like sum of \$17,879.51 is hereby appropriated under the caption of Miscellaneous Revenue-Public and Private and Revenue Offset with Appropriations: NJ DEP Clean Communities Program Grant; and

BE IT FURTHER RESOLVED that the above is a result of a state grant of \$17,879.51 from NJ Clean Communities Grant.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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

All other reports were noted for filing.

A concern with speeding on Dutch Lane was noted. Putting up the speed trailer and asking West Amwell to patrol the road was suggested.

CORRESPONDENCE

No comments were made about any correspondence.

ADJOURNMENT

There being no further business, motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously to adjourn the meeting at 9:45 p.m.

Teresa R. Stahl, RMC/CMC
Municipal Clerk