

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 September 6, 2016.

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

AGENDA REVIEW

Resolution of Appreciation for Former Employee Christine Rosikiewicz will be the first item of the evening.

Under Update from the CFO, add as item C, 9/7 Letter from Hunterdon County re: Historic Preservation Grant Program – Renovations to Clawson House and Resolution to Authorize the Mayor to Sign the Grant Agreement. Move remaining two items under Ms. Pasqua's report to items D and E.

Under Special Discussion, 319H Grant for Clawson Park, Mark Gallagher from Princeton Hydro will present rather than Steve Souza.

Under FOSPC, the Committee has an Excel Sheet showing the funding breakdown from 2005-2015 that accompanies the new Power Point in the folder this evening. Copies of this information is also available on the back table for the public. Additionally, there will be an item #2, New Jersey Conservation Foundation representatives Lisa MacCollum and Greg Romano will be here tonight to discuss the Higgins' acquisition, current and future phases.

Correspondence, add 9/8 Invitation from Hunterdon Medical Center to a Mayor's Day at the hospital on October 27; the September 2016 Certificate of Completion of Work on Zion Road from Engineer O'Neal; and the 9/2 League of Municipalities Weekly Update.

ANNOUNCEMENTS

- A. Hunterdon County Utilities has scheduled the following collection events, all at the County Complex on Route 12 from 9 a.m. – 1 p.m.: Contact 908-788-1110 for info.
 - * Paint, Used Motor Oil, Propane Tanks and Smoke Detectors on September 10
 - * Computer and Electronics on October 8
 - * Household Hazardous Waste on November 12
- B. Municipal Offices will be closed on Monday, October 10, for Columbus Day.
- C. Harvest Fest will take place beginning at 4 p.m. on Saturday, September 10, 2016, at the Amwell Valley Fire Company.
- D. A seminar will take place on Thursday, September 15, at the municipal building. Pat Rector from Rutgers Cooperative will speak about rain gardens. On Saturday, September 17 Boy Scout Brandon Diacont will be working with volunteers to plant flowers in the rain garden at Clawson Park.

RESOLUTION OF APPRECIATION

Former Employee Christine Rosikiewicz recently left her position at East Amwell Township.

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RESOLUTION #88-16

WHEREAS, Christine Rosikiewicz has served the Township of East Amwell and its residents with exceptional dedication in various positions in her career as a municipal employee; and

WHEREAS, Christine started as the Agricultural Advisory Committee Secretary in January 2006, took on the additional position as Recreation Committee Secretary in 2007, and then became the Board of Health Secretary in March 2011, also adding the positions of Historic Preservation Secretary and Farmland/Open Space Committee Secretary in 2012; and

WHEREAS, in a particularly challenging period in the Finance Department, Christine stepped up to fill a void, and she was appointed Interim Assistant Treasurer in February 2013, working closely with a number of part time Finance Officers to maintain the daily operation of that office; and

WHEREAS, Christine’s service to the Board of Health involved significant interaction with the public, professionals, contractors, and vendors, and she worked closely and effectively with residents to meet their public health needs; and

WHEREAS, Christine’s assistance in the Board of Health Department over the past five and a half years has been a valuable asset to the Township of East Amwell;

NOW THEREFORE BE IT RESOLVED by the Township Committee and the Board of Health that they hereby recognize and commend Christine Rosikiewicz for her ten years of exceptional service to the municipality and extend to her all best wishes in her new career.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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Motion by Deputy Mayor Sageser, seconded by Mr. Mathews, and carried unanimously.

UPDATE FROM THE CFO

A. 2016 Budget Status

CFO Margaret Pasqua spoke about the status of the 2016 budget. Mayor Wang-Iverson said that he had asked her to look at areas of concern in anticipation of the 2017 budget process. Ms. Pasqua said that there were two areas of concern, the first being the Tax Assessor’s budget is low due to legal issues with The Ridge at Back Brook. The budget has less than \$1,000 right now and the Assessor expects several thousand more dollars in bills going forth. The second item was the Board of Adjustment budget, which is dangerously low. This budget was cut by one third last year. The Mayor asked about covering expenses with transfers by the end of the year. Ms. Pasqua said that the Tax Assessor’s budget could be covered, but the Board of Adjustment budget will be tight for a couple of months. On a question from the Mayor regarding driveway bonds that were cancelled, Ms. Pasqua said that this money would go into surplus at the end of the year.

B. Open Space Trust Fund Expenditures

Ms. Pasqua was asked to do an analysis of expenditures from the Open Space Trust Fund. She provided an analysis from 2013 to present and will research earlier years when she has more time. She looked at expenditures from the fund for farmland, open space, Clawson Park and Clawson House. In 2013, 94% was for farmland preservation or debt and the remaining 6% was for Clawson Park maintenance. In 2014, 95% was for farmland preservation and debt, 4% Clawson, and 1% miscellaneous. In 2015, 78% was for farmland preservation, Clawson House funding was about 19.5% although the Township did receive a County Grant; 2.5% was for park maintenance and some miscellaneous. An amount of \$170,000 was used for Clawson House with \$80,000 in grant funding coming back to the Township. In 2016, including debt service

that will be due later this year, 97% went to farmland and 1.5% to Clawson Park and 1.5% miscellaneous.

Mayor Wang-Iverson said that the request was to look at the Open Space Trust Fund and determine its use on items other than farmland. Ms. Pasqua has purchase orders from 2009 – 2012 and will review them for the information.

Mr. Mathews asked when Ms. Pasqua was asked to get this information; she told him last Thursday. Mr. Mathews asked for a copy of the information she reported tonight; Ms. Pasqua will provide a written copy.

Mr. Van Horn spoke about the Clerk working on a request for information since the last meeting and pulling together a lot of information, including ordinances passed since 2002. The ordinances would be more of a budget rather than an accurate accounting of what was spent. It was noted that purchase orders only go back seven years. He added that staff has been working on pulling information together.

C. Clawson House - Hunterdon County Grant Funding

Mayor Wang-Iverson said that at the Hunterdon County Freeholder’s meeting last Tuesday, East Amwell Township was granted an award of \$75,000 to continue work on Clawson House, Phase III. A resolution to authorize signature on the grant application was necessary so that Ms. Pasqua can begin the process to include the money in the budget through a Chapter 159 resolution. Ms. Pasqua explained that the Chapter 159 resolution allows the municipality to include the unexpected revenue in the budget after the budget has been adopted.

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RESOLUTION #88A-16

BE IT RESOLVED by the Township Committee of the Township of East Amwell that the Mayor is hereby authorized to sign the Historic Preservation Grant Agreement for Renovations to the Clawson House, as prepared by Hunterdon County on September 7, 2016, for funding in the amount not to exceed \$75,000.00

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.

D. Chapter 159 Resolution – Clawson House Grant

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RESOLUTION #89-16

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

Township of East Amwell
Hunterdon, New Jersey

Certified to Director of the Division of Local 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 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 \$75,000.00, which is now available from the County of Hunterdon Historic Preservation grant in the amount of \$75,000.00

BE IT FURTHER RESOLVED that the like sum of \$75,000.00 is hereby appropriated under the caption Miscellaneous Revenues - Public and Private Revenues Offset with Appropriations: County of Hunterdon Historic Preservation Grant; and

BE IT FURTHER RESOLVED that the above is a result of funds from the Hunterdon County Historic Preservation Grant in the amount of \$75,000.00.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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

E. Amendment to the 2016 Capital Budget

Ms. Pasqua explained that the 2016 Capital Budget only has \$500,000 in it, and the cost for the Higgins property will be around \$700,000. The auditor advised her to put the grant funding into the capital fund as opposed to using the Open Space Trust Fund for the Higgins' purchase. Eventually, a capital ordinance will be introduced and adopted, and the purchase will be funded through capital.

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RESOLUTION #90-16

AMENDING THE CAPITAL BUDGET PURSUANT TO NJAC 5:30-4.4B

WHEREAS, The Township of East Amwell, Hunterdon County in the State of New Jersey desires to amend the 2016 Capital Budget of said municipality by inserting thereon or correcting the items therein as shown in such budget for the following reasons:

The acquisition costs for Open Space exceeded amount anticipated in budget.

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

SECTION 1. the 2016 Capital Budget of the Township of East Amwell, Hunterdon County, State of New Jersey is hereby amended by adding thereto a schedule to read as follows:

AMENDMENT NUMBER 1
GENERAL CAPITAL BUDGET
TOWNSHIP OF EAST AMWELL, HUNTEDON COUNTY, NEW JERSEY
Project Schedules for 2016
Method of Financing

Project	Est Costs	Budget Appropriation	CIF	Grants in Aid
<u>General Bond</u>				
Acquisition of Open Space Higgins Property	\$800,000			\$800,000

BE IT FURTHER RESOLVED that two certified copies of this resolution are to be filed with the Director of the Division of Local Government Services and one copy filed with the CFO and Auditor.

By Order of the Township Committee,

David Wang-Iverson, Mayor

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

SPECIAL DISCUSSIONS

UPDATE ON 319H GRANT FOR CLAWSON PARK

Mark Gallagher, Princeton Hydro, and Brandon Diacont, Troop 65, were present for this discussion, which began at 7:45 p.m.

Mr. Gallagher said that the rain gardens are well underway with perimeter and silt fences installed. They are excavating the second rain garden and will lay a stone base, filter, and back fill with engineered soil. The work should be done by next week. The existing rain garden will be rebuilt by the East Amwell DPW when time allows. The excess soil, enclosed with a silt fence, is near the playground and a second pile near the grass basin; it will be spread and seeded with a temporary mix and capped with top soil as Phase 2 of the project.

Brandon Diacont spoke about planting in the rain garden on Saturday, September 17th from 9:30 a.m. – 2 p.m. at the park. He was looking for about 15 – 20 volunteers to help plant them. He highlighted the types of plants that would be used, reading from a prepared plan from Princeton Hydro. Mr. Van Horn suggested that Brandon contact Mike Petrus, Chair of the Clawson Park Advisory Committee, to solicit volunteers.

Mayor Wang-Iverson commented on planting milkweed for monarch butterflies. He also reiterated that there would be a rain garden seminar on September 15th at 7 p.m. Pat Rector from Rutgers Cooperative Extension would be speaking about the general benefits from a rain garden. He added that seeing the Clawson Park rain gardens would be a good demonstration project for people to see.

This discussion was over close to 8 p.m.

UPDATE FROM ROB CLIFTON ON COMCAST CABLE COMPANY

Rob Clifton, Director of Community Affairs, was present for the quarterly meeting. He spoke about the Internet Essentials program, which provides low cost high speed internet to students who qualify free and reduced lunch. Cost is \$9.95 per month. He left flyers to be made available to the public. Mr. Clifton explained that this was originally part of an agreement with a federal regulatory authority to provide the service for three years; however, Comcast is now in its fifth year with the program.

Mayor Wang-Iverson asked about lowering hanging cables at 107 Lindbergh Road, which has been an on-going problem. Mr. Clifton will contact company representatives and ask them to address them immediately.

Frances Gavigan, 123 Wertsville Road, had no issues except for cost. She asked if there was a similar program to Internet Essentials for seniors. Mr. Clifton said that the company was developing a program not currently in the area, but to be rolled out in the future. On a question, Mr. Clifton said this would also be based on an income test.

UPDATE FROM JOHN ANDERSON FROM JCP&L

John Anderson, Area Manager, was present to discuss current events. He mentioned extensive preparation and expense for the recent expect storm, which passed by. He detailed the preparation, including activating teams on staging sites, such as the 3M site on Route 202. Linemen from sister companies in the west were called in, contractors were mobilized, and there were several helicopters on ready. There were no complaints to deal with, so demobilization started on Sunday.

Mr. Anderson spoke about a storm on August 12, 13, 14, and 15, which had a huge impact. He explained the “very unusual event.” He explained the three main components of electricity, the T (transmission) brings power to the substation, where it is stepped down and goes to D (distribution) to the neighborhoods. Gilboa substation on Route 29, south of Stockton, is one that feeds to East Amwell Township. There was severe storm activity with significant damage, and Gilboa lost power. The transmission feed to the substation was down and a downed wire was located. It was anticipated that the power would be back by Saturday, but an additional wire was found thereafter, and there was damage within the substation so that the breakers couldn’t close – it was finally closed on Sunday. Mr. Anderson explained also that when the T came down, it came down on the distribution line, which was also an issue. He added that JCP&L worked with four super markets to provide ice and water to customers without power. He compared this weather event to “a perfect storm.” He added that a bright spot was that there was an opportunity to do a lot of vegetation management in the transmission right of way.

Mr. Anderson advised the governing body that he would be going on temporary assignment in External Affairs for larger projects, and he did not know how long this assignment would last. He introduced Stan Prater, an Area Manager in Northern New Jersey, who would be taking over Mr. Anderson’s responsibilities, possibly tomorrow. Mr. Prater has been with JCP&L for over 30 years and was very familiar with the system. Mr. Cushing said that he knew Mr. Prater from his work in other municipalities and commented favorably about his ability.

Further discussion took place about the August 12 outage, noting that conditions were hot and humid. Deputy Mayor Sageser asked about the transmission line that impacted the D at Gilboa, i.e., was there something missing? Mr. Anderson explained the construction standard of putting the highest voltage at the top of a pole, with transmission and distribution not usually on the same pole. He added that the combination of lightning strikes and tree strikes was also an issue.

Deputy Mayor Sageser asked about pole issues, referencing a pole on Lindbergh Road that “was taken out.” He asked about identifying ownership of poles to make it easier to find the responsible company and getting poles put back in place. Mr. Anderson said that usually the electric company and the telecommunications companies split ownership 50-50, adding that JCP&L has a decent rapport with the phone company for joint use of the poles. There is a dedicated department that manages this issue. For labor reasons, one company cannot install another company’s pole – this can only be done in extenuating circumstances. Deputy Mayor Sageser said that during Hurricane Sandy Georgia Power put up poles regardless of ownership and asked if this was a matter that should be pressed through the legislature. Mr. Anderson spoke about franchise rights in a state. A utility will have their own equipment and maintain it. Sharing the equipment with other utilities occurs, but sometimes there are franchise agreements and union reasons why one company cannot maintain another’s equipment. He provided an example of a pole being down with phone service working, but electricity not. He commented on the urgency to have the electricity restored and the company being motivated to do so; they may be able to do a temporary fix until the pole is set.

Mayor Wang-Iverson spoke about the August 12 outage and resident frustration with the auto response program. Mr. Anderson spoke about improved technology since Sandy, including the website and the IVR system and the ability to text to cell phones. He said that the phone system is set up with three types of response: the first is a default of 2 hours, which is the average duration of an outage. Once a crew assesses the situation, they can set a user ETR that is more accurate, such as 2, 6, 24 hours etc., whatever the response time may be. The third type is a global ETR, such as what happened on that Friday storm. Crews assessed the broken pole and wire damage and set the global ETR for Saturday evening after which time they would reassess and do the user ETR. However, there was a glitch with the software which kept giving the

default response time of 2 hours. Mr. Anderson equated this to “growing pains,” adding that during Hurricane Sandy, there was no means of communication at all.

Mayor Wang-Iverson said that he was in phone communication with Rob Walton during the storm event, which helped him with residents’ concerns. He also added that he lives near a section of the municipality, the Harvest Hill area. He has no power issues at his house but the people in the Harvest Hill area say that there has been no improvement in reliability since Sandy. Mr. Anderson said that there is a Reliability Division out of the engineering department that will look into this.

Dick Ginman, 125 Mountain Road, thanked Mr. Anderson for JCP&L’s automatic message about getting water and ice. He has lived in the Sourland area since 1968 and is familiar with outages and has a standby generator that he uses on occasion. He spoke about some outages that last about ten minutes and then come back on, and he asked about the circuitry. Mr. Anderson explained that there is a recloser, which is literally an automated breaker on the pole. The recloser can detect fault in the current and it opens, kills current to clear it, and closes again; it will do it three times then lock open. He added that fault current is usually caused by squirrels or tree limbs, which accounts for the short duration.

Frances Gavigan spoke about Georgia Power being here during Hurricane Sandy because of Irene, noting problems with a pole down on Wertsville Road. She asked whether there was a public inventory of poles and ownership. Mr. Anderson said that they have the list on GIS on laptops in the trucks. All the poles are listed with stenciled ownership, and technicians can look at the circuit map and see the pole/ownership. It is not available to the public because of homeland security issue and is proprietary information.

Ms. Gavigan suggested that Mr. Anderson relay information to Mr. Prater about the electrical issues in East Amwell, including the history about the wires, poles, etc. A question about replacing poles was asked. Mr. Anderson explained that the BPU mandates a ten year inspection cycle for wood poles, and there are subcontractors who specialize in these inspections. A list of poles must be submitted for replacement to the BPU and there is a time frame for replacement. He added that 10% of the infrastructure is inspected annually. If the pole passes inspection, no matter of the age, it does not have to be replaced.

Candice Wiggum, 1060 Old York Road, mentioned the fact that many people are dropping land lines, and she asked if there were any plans in place for the electric company to take over all the poles. Mr. Anderson said not at this time.

Mr. Prater passed out his business cards to the governing body, and they welcomed him to East Amwell. They also congratulated Mr. Anderson on his new responsibilities.

STANDING COMMITTEE REPORTS

FARMLAND/OPEN SPACE PRESERVATION COMMITTEE Vice Chair Tim Martin was present for this discussion

1) Open Space Trust Fund (OSTF) and Green Acres Funding: Mayor Wang-Iverson said that the issue of the OSTF came up at a previous meeting and looking at how much money was used for items beyond farmland and debt was the question.

Mr. Martin said that FOSPC was tasked by the Mayor at looking from 2005 – 2015 to see what was spent. They pulled all information in the Township files, and it was put into spreadsheets and information put into a Power Point presentation. They also looked at contributions from other partners, and he added that “this is a work in progress.” He believed that the numbers were solid although the formulas may not be correct.

Mr. Martin said that slide 2 showed 9 significant projects leveraging \$250,000 of OSTF money for acquisition of \$4,000,000 of land, i.e., 277 acres of preserved land and neighboring donation of conservation easements due to these efforts for a total of 46 acres more. The detailed slides did not include debt service, maintenance of land, or Clawson Park expenses (the latter purchase which came from a separate source of funding). Slide 3 showed a pie chart of funding,

including 45% Green Acres; 19% County, 30% other sources, and 6% East Amwell Township funds. The last slide showed the money leveraged with other sources for these properties that were not farmland, i.e., public access land (excluding Clawson Park and farms) from 2005-2015.

On a question, Mr. Martin said that there was nothing preserved with the fund in 1999, although Clawson Park was acquired by another source of funding; he said that most open space was purchased from 2005-2015. Mayor Wang-Iverson believed that Clawson Park was purchased through bonding and with a Green Acres loan.

Mr. Mathews asked if there were purchases not on the list that were made from the trust fund. Mr. Martin said that this list was only for purchase of land and technical costs, adding that some items may have been necessary and there were volunteers who assisted with maintenance of sites. Mayor Wang-Iverson said that FOSPC was looking at acquisition of public land only; Ms. Pasqua is looking at maintenance and equipment costs coming out of the trust fund. Mr. Martin felt that the result of this exercise "was good work," and he tried to get the information down to the dime. Ms. Pasqua is also working on her portion of getting expenditures for other items into different categories.

2) Presentation from New Jersey Conservation Foundation (NJCF) on Higgins' Property Acquisition, Present and Future Purchases NJCF Director of Acquisitions Greg Romano and Assistant Director Lisa MacCollum were present during this discussion. They had a map of the property for display.

Ms. MacCollum explained that the Township is partnering on Phase I acquisition of almost 153 acres, which has been going on for about a year. They applied to the County for funds last year, and East Amwell applied to the County this year for cooperative grant funding. They are now working with Green Acres and getting certified values; the property owner exercised his options in June. There will be a survey in a few weeks, and the environmental impact study was done a month or so ago to be received next week. NJCF received a title binder this week with no issues. NJCF also received confirmation of a grant from the 1772 Foundation, up to \$247,000 in grant funding. With everything in place, they are looking for a closing before December 12. East Amwell will do a funding ordinance next month to be adopted in November in time for the closing.

Mr. Mathews asked for property identification on the map; he was told that the section in blue, totaling about 152 acres, was Phase I, which will be surveyed. Phase II was in yellow, and Ms. MacCollum added that all toll, the property will amount to over 1,000 acres preserved between Somerset and Hunterdon County pieces.

Ms. MacCollum was looking for a resolution of support for the application for Phase II to Hunterdon County for both NJCF and Hunterdon Land Trust (HLT) to receive 20% of \$16,000 per acre for 270 acres of land. They have already received letters of support from Sourland Conservancy and Somerset County. Finances include looking for 50% from Hunterdon County with the non-profit and cooperative grant programs, there is anonymous foundation money of \$630,000 from \$1,000,000 promised for the entire purchase (i.e., 1/3 used for Phase I and 2/3 for the next phase). She added that there may be some natural resources damage funding (up to \$1,000,000), explaining that they are in contact with a consultant whose client is required to do remediation work and is looking into getting DEP approval to use this project. On a question, Mr. Romano explained that the natural resources damage program is through the NJ DEP for pollution that the client did elsewhere. The client must make up for what damage was done, and they have to find a project with a specific water recharge value on a number of acres, adding that the better the recharge value, the less acres need to be addressed. The DEP must also approve of the project area.

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RESOLUTION #91-16

BE IT RESOLVED by the Township Committee of the Township of East Amwell that they hereby support the continuing efforts of New Jersey Conservation Foundation and the efforts of Hunterdon Land Trust for Phase 2 acquisition of the Higgins property, Block 35, Lots 2 and 57; and

BE IT FURTHER RESOLVED that they support the non-profit grant funding applications submitted by New Jersey Conservation Foundation and Hunterdon Land Trust to Hunterdon County for the acquisition of the Higgins property to be presented at the September 19, 2016 Hunterdon County Open Space Committee meeting and then before the Hunterdon County Freeholders when the details of Phase 2 of the Higgins property purchase will be discussed.

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.

On a question from Mayor Wang-Iverson about going back to the County in January for the Township’s cooperative purchase program, Ms. MacCollum said that NJCF and HLT will see how much money is granted for the non-profits. She explained that the total from the County can only be 50% for all partners, e.g., if they each get 20%, the Township would have to apply for 10%. Mr. Romano added that there may be some extra funding that will be put towards this purchase.

Ms. MacCollum thanked the governing body for their continued support.

BOARD OF HEALTH

1) 8/17 Request to have the Township Committee Forward Their Previous Resolution re: PennEast Pipeline to FERC During Public Comment Period on Environmental Impact Statement

Mayor Wang-Iverson said that this was a request from the Board of Health to submit the same resolution previously approved by the Township Committee (for the record, at the end of 2014) during the comment period now.

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**EAST AMWELL TOWNSHIP
RESOLUTION # 92 -16**

WHEREAS, PennEast Pipeline Company, LLC, a joint project of AGL Resources, NJR Pipeline Company, a subsidiary of New Jersey Resources, South Jersey Industries, PSEG Power LLC, and UGI Energy Services, a subsidiary of UGI Corporation, has proposed the construction of a new pipeline for the transfer and deliver of natural gas produced by hydraulic fracturing in areas of Marcellus Shale in Pennsylvania; and

WHEREAS, the proposed pipeline is approximately one hundred and eight (108) miles, long of thirty to thirty-six inch (30”-36”) buried pipe with a permanent right of way of up to 100 feet, crossing parts of Luzerne, Carbon, Northampton and Bucks Counties in Pennsylvania and Hunterdon and Mercer Counties in New Jersey; and

WHEREAS, as currently proposed, the pipeline route cuts through East Amwell Townships’ adjoining municipalities Delaware Township, Hopewell Township and West Amwell Township to the west of East Amwell Township, approximately between 1.2 miles and 1.3 miles from East Amwell Township’s borders at its closest points; and

WHEREAS, approximately one half of East Amwell Township is located in the Sourland Mountain region and the proposed pipeline route cuts across the Sourland Mountain region, which is identified by the East Amwell Township Land Management Plan (“the Plan”) as an area containing natural resources of regional and statewide significance. The Plan considers the convergence of critical features, including wetlands, large contiguous forests, critical habitat for threatened and endangered species and other significant flora and fauna, and limiting geology characterized by low rates of recharge for bedrock aquifers and low yielding wells, as requiring

protective land use policies and regulations. These resources and assets are irreplaceable and once changed will never be fully restored; and

WHEREAS, among the identified goals of the East Amwell Township Master Plan Reexamination Report (2013) are: ensuring that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the County and the State as a whole; expanding and implementing the Greenways and Open Space Plan so that it links environmentally sensitive areas, historic places, existing State, County and Municipal land holdings and provides for opportunities for a network of open space, both which encourage connections that unite governmental jurisdictions and promote robust neighborly civic engagement that protects regional as well as local interests; and

WHEREAS, East Amwell Township recognized the importance of inter-municipal coordination and comprehensive planning as the lead agency in the development of Phase 1 of the Comprehensive Management Plan for the 90 square mile unique and ecologically fragile Sourland Mountain region in 2005 under a Smart Growth grant from the State of New Jersey fostering protection of the contiguous Sourland Mountain region with the Townships of West Amwell, Montgomery, Hillsborough, Hopewell and the Counties of Hunterdon, Somerset and Mercer, Sourland Planning Council, the Stony Brook-Millstone Watershed Association, and Banisch Associates; East Amwell joined with these entities to complete Phase 2 of the Sourland Mountain Comprehensive Management Plan, adopting a resolution endorsing the inter-municipal Plan (RESOLUTION #108 -11); and

WHEREAS, East Amwell Township was the lead agency of the Sourland Mountain Watershed Management Plan promoting inter-municipal cooperation to manage stormwater and watershed values with the Townships of West Amwell and Montgomery, the Counties of Hunterdon, Somerset and Mercer, the Sourland Planning Council, the Stony Brook-Millstone Watershed Association, the NJ Water Supply Authority, and the Regional Planning Partnership, under a 2004 grant from the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, the East Amwell Township Land Management Plan identifies the protection of adequate water supply and prevention of contamination of drinking water as critical public health and welfare concerns, considering that the Township is fully dependent on individual water wells fed by very limited groundwater resources, particularly in the Sourland Mountain District, and individual septic systems for sewage disposal that are vulnerable to disturbance from construction, blasting, deforestation and land use changes with unpredictable short and long-term effects that would accompany the PennEast pipeline project proximate to East Amwell Township in nearby townships; and

WHEREAS, the proposed pipeline route traverses active agricultural lands in its neighboring municipalities, which are central to the rural nature and economy of the region, located near and, in some instances, spanning the borders of East Amwell Township and which are vulnerable to the negative impacts of vegetation removal, soil compaction, decoupling of contiguous lands, proliferation of invasive species and drainage changes that accompany the PennEast pipeline project proximate to East Amwell Township; and

WHEREAS, the proposed route crosses protected properties and open space that were purchased with taxpayer funds, including taxpayers in East Amwell Township, under NJDEP Green Acres and New Jersey Department of Agriculture programs, Federal Farm and Ranch Protection Program Funds, Hunterdon County Open Space Funds, and lands of regional significance that were purchased through neighboring Township Open Space and privately funded conservation programs as well as other properties that are subject to conservation easements and/or deed restricted against development, permanently damaging existing assets, features, and resources and potentially limiting future public use; and

WHEREAS, the proposed pipeline route crosses the Alexauken Creek, a protected Category-1 stream as per NJAC 7:9B, Surface Water Quality Standards. Approximately one fifth of East Amwell Township is located in the Alexauken Creek Watershed, including the Village of Ringoes, upstream of the proposed location of the stream crossing. East Amwell Township partnered with West Amwell Township (lead agency), Delaware Township, the City of Lambertville, Hunterdon County Planning Board, Hunterdon Land Trust Alliance, Delaware Riverkeeper Network, Regional Planning Partnership, Sourland Planning Council, Stony Brook-

Millstone Watershed Association and Princeton Hydro, LLC in developing the Watershed Protection Plan for the Alexauken Creek in 2005 under a NJDEP grant, recognizing the significant regional value and need for protection of the stream's water quality and flows, agricultural and forested lands, important grassland habitats, and water supply resources of the watershed, including providing water to millions of downstream New Jersey residents who depend on the Delaware River; and

WHEREAS, the proposed pipeline route crosses through the nearby Mt. Airy Historical District and the scenic vistas to the east of East Amwell Township; and

WHEREAS, Spectra operates an interstate natural gas transmission line through East Amwell Township, including through portions of the Sourland Mountain District, the Amwell Valley Agricultural District, and Hunterdon County's South County Park located in Ringoes, NJ; and

WHEREAS, the Federal Regulatory Energy Commission is now hearing comments on the proposed PennEast pipeline; and

WHEREAS, the Delaware River Basin Commission is now reviewing the proposed PennEast pipeline under Section 3.8 of the Delaware River Compact and implementing regulations.

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

1. The East Amwell Township Committee opposes the design and construction of the proposed PennEast pipeline passing through and under neighboring municipalities, including adjoining Delaware Township, West Amwell Township, in Hunterdon County and Hopewell Township in Mercer County. The construction and operation of the pipeline will damage regionally important streams and groundwater, existing farm operations, wildlife habitat, forests and the natural features and resources they support, and the quality of life in the region connected to East Amwell Township.
2. The East Amwell Township Committee calls for a moratorium on any and all planning for the PennEast Pipeline and requests that any such project, if considered, must be subject to an environmental impact statement and comprehensive environmental analyses that include and consider the cumulative impacts of all natural gas pipeline projects and related compressor stations and pumping stations, existing or proposed, in the region by the Federal Energy Regulatory Commission, the Delaware River Basin Commission, the New Jersey Public Utility Commission, and any other regulatory authority.
3. The Resolution shall be distributed to:
 - a. Governor Chris Christie
 - b. U.S. Senator Robert Menendez
 - c. U.S. Senator Cory Booker
 - d. Congresswoman Bonnie Watson Coleman
 - e. Congressman Leonard Lance
 - f. Hunterdon County Board of Chosen Freeholders
 - g. State Senator Shirley Turner
 - h. Assemblywoman Elizabeth Maher Muoio
 - i. Assemblyman Reed Gusciora
 - j. Affected Townships of Hunterdon and Mercer Counties
 - k. Federal Regulatory Energy Commission
 - l. Delaware River Basin Commission
 - m. New Jersey State League of Municipalities

By Order of the Township Committee,

David Wang-Iverson, Mayor

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Motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously to approve the resolution to be resubmitted under the current docket number.

RECYCLING COMMITTEE

1) 8/22 Resignation of Member Mike Petrus, September 30, 2016: The Clerk reminded the governing body that Mr. Petrus has been a long time volunteer, serving on the Environmental Commission since 2006 through a couple of years ago and on the Recycling Committee since 2008. Mr. Van Horn said that Mr. Petrus will remain as Chair of the Clawson Park Advisory Committee. Motion by Mr. Mathews, seconded by Deputy Mayor Sageser, and carried unanimously to accept the resignation with regret.

APPROVAL OF MINUTES

August 22, 2016, Special Meeting Minutes were approved on a motion by Mr. Van Horn, seconded by Mr. Mathews, and carried with one abstention, Mr. Miller, with a correction in the first paragraph changing the names of the Mayor and Deputy Mayor.

August 22, 2016, Executive Meeting Minutes were approved on a motion by Mr. Van Horn, seconded by Mr. Mathews, and carried with one abstention, Mr. Miller.

August 22, 2016, Regular Meeting Minutes were approved on a motion by Mr. Van Horn, seconded by Mr. Mathews, and carried with one abstention, Mr. Miller.

OPEN TO THE PUBLIC Comments pertaining to topics not on tonight’s agenda (limited to a total of 15 minutes)

Will Harrison, a member of the public, was here to represent the Recycling Committee. He was asking for resolution on the use of the old library trailer to be used for storing Styrofoam. He mentioned the great relationship with the DPW who will transport the material. It is currently stored outdoors, and the UV and weather change the quality of the material, which makes it ill suited for recycling.

It was noted that the baseball league was approved to use the trailer until the end of June. The Clerk contacted him in July and was told that the Little League would be meeting at the end of that month to decide whether they would be continuing with the Flemington-Raritan League or staying local. She has not heard back from him.

Mr. Harrison said that the Recycling Committee is ready to start storing Styrofoam as soon as the governing body approves it. On a question from the Mayor about storing Styrofoam, Mr. Matheny said that the Fire Marshall did inspect and as long as it’s only storage, it would be alright. But as soon as there was a change of use, the trailer would have to be brought up to code.

Mr. Harrison said that the Township gets no financial benefit from the collection, only the satisfaction of knowing that the material will not end up in a landfill. As soon as this issue is resolved, he would like to have a key to the trailer to start storing. They do not require electricity; it was noted that the baseball league currently pays the bill for electricity to the trailer.

Mr. Harrison would like an answer about the trailer usage because if the Committee cannot use the existing trailer, they will look into buying another storage shed with grant money

Stuart Singer, 14 Fox Hunt Road, has lived in East Amwell since 1972 and wanted to see beautification of the Township. He spoke about the ordinance for unoccupied dwellings that may pose a hazard, yet the dwellings still stand. Since there were health and safety issues, he asked why the Township was not moving forward.

Mr. Singer also spoke about his property taxes which went up, asking if it was a state, county, or municipal levy and if applied as a percentage of an assessment or a flat tax. Mayor Wang-Iverson said that the municipality's share went up by 1 cent per hundred dollars; Mr. Singer said his taxes went up by \$400. The Assessor would be able to answer his question.

Mr. Singer said that there used to be two brush pickups each year, and now there are none. He suggested that officials look at Fox Hunt Road to see all the limbs that will not be removed without assistance. Mayor Wang-Iverson noted that there was no pick up this year, while one was done last year. Mr. Matheny explained the procedure for bringing brush to the yard and allowing residents access to mulch, which residents like. He said that when the men went curbside two years ago, there was a limited amount of material to pick up since people make use of the grit-yard, and the DPW felt that curbside pick-up was not warranted. Mayor Wang-Iverson asked about possibly picking up in targeted areas. Mr. Singer asked about taking some trees down, saying that the power company sometimes did it, but new owners do not. The Mayor suggested that the DPW Superintendent be asked to look at Fox Hunt Road. Mr. Singer added that he doesn't have a truck, that some residents are older, and the yard is only open during limited hours; he would like to see curbside brush pickup reinstated.

Mayor Wang-Iverson said that the Township Committee would discuss this, and Mr. Mathews asked whether it could be done this fall. Mr. Van Horn also noted that some residents, including him, don't own trucks, and hired contractors/landscapers cannot bring their material to the grit-yard in commercial vehicles. Mr. Matheny explained that landscapers were being paid by homeowners to get rid of material and then they were dropping excessive materials at the grit-yard.

Mr. Singer asked about the homes on Route 179 that were still not addressed. Mayor Wang-Iverson explained that there was a process to follow and that the Township would need funding for demolition. He provided the explanation of the Township finally getting rid of a stone foundation in the village area with the bank which foreclosed on the property paying for the work. He added that private ownership dwellings were more difficult to handle.

Mr. Singer felt that if a dwelling had structural damage, it should be taken down. Deputy Mayor Sageser explained the process of having the Construction Official determine if there are safety issues. Mr. Van Horn added that if the property owner has no money or is absent, then the Township would have to come up with the funds to demolish, and the tax payers would be paying for this. A lien could be placed on the property but the Township may never collect on the lien. Mr. Cushing added that if there was a safety issue that could be determined to be an imminent hazard, the Construction Official, based on his knowledge and expertise, could recommend demolition. He could determine that the fix would be boarding it up with plywood, and now the township has an abandoned property with plywood, which is safe according to the Uniform Construction Code standards but "an eyesore." The Township does not have a maintenance code for properties to address aesthetics, only an ordinance to address safety issues. He added that this is a problem in many municipalities, providing an example of a 20 year problem of a boarded up house in Clinton.

Mr. Singer asked about forcing an owner of an unfit building to address the unsafe issue. Mr. Cushing said that a lien could be placed on the property, but the Township would still have to come up with the funds to abate. He added that if the property is an asset with no value, there would be no incentive for an estate to pay the lien. He added that this has been a problem since the recession.

Mr. Singer concluded that he has lived in East Amwell for 44 years, it is a lovely area, and he wants to see it stay that way.

Frances Gavigan, 123 Wertsville Road, spoke about the hard work from FOSPC and from Margaret Pasqua in figuring out where the Open Space Trust Fund money went. She asked about how many acres there were in farmland; Glorianne Robbi (Chair, FOSPC) was in the

audience and said that there were 58 preserved farms. She referred Ms. Gavigan to the annual farmland map that is sent to residents each year, showing about 5200 acres of preserved land. Mayor Wang-Iverson said that \$4-5,000,000 in bonds were floated for the original farms purchased, which are still being paid off. Ms. Gavigan said that this information on the annual map was not date stamped, and she was trying to understand the open space pie chart with 277 acres of open space with low ratio cost to value. Ms. Robbi also directed Ms. Gavigan to the SADC website where she would find Hunterdon County preserved farms with East Amwell listed under that category.

Ms. Gavigan spoke about spending in 2005, 2006, and 2007, mentioning spending for maintenance and for debt and trying to get a sense about the amount spent for each. Mayor Wang-Iverson added that the original \$4,000,000 bond was for farmland and was for half of the cost of the original farms preserved. Ms. Pasqua has done calculations and shows that the amount used is less than the actual debt the Township owes. Ms. Pasqua said that last year there was \$420,000 in debt and \$400,000 was taken out of OSTF for debt payment.

Mr. Mathews asked about the report done by Mr. Martin for 2015-2015; he was told that the report only addressed open space, not farmland, since farmland was not the original issue brought up.

Candice Wiggum, Old York Road, mentioned that according to what the CFO said tonight, the fund was used mostly for farmland and debt service with the amount for open space being relatively small.

Rick Wolfe, Rynearson Road, spoke about his presentation last month, which was only a story and he literally received no speeding tickets. He said that the minutes are not an accurate recitation, and he was willing to provide a corrected one. Mr. Cushing said that Mr. Wolfe was very welcome to submit something if he wished.

Mr. Wolfe spoke about having lots of trees down on his farm after Hurricane Sandy and hiring a service to help with the trees. The contractor was turned away at the grit-yard as a commercial service, and he had to pay to have them take the debris to Raritan Township. He suggested that a mechanism be put in place to have residents call the Township to advise staff if a commercial service was carrying brush from a Township property to the grit-yard. Mr. Wolfe said if there were too many calls, the Township could cease allowing the calls/commercial delivery.

Mayor Wang-Iverson said that the Township would think about this. Mr. Wolfe offered to pick up Mr. Singer's brush.

Dick Ginman, 125 Mountain Road, is a retired civil servant. He has had to deal with trees since he's lived here and suggested using wood chippers to get rid of brush. He felt that work could be done with the right people doing the work. Mr. Wolfe suggested closing the grit-yard and having the brush chipped and hauled away, and hire professionals to do it.

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

PUBLIC HEARINGS/INTRODUCTION OF ORDINANCES

Public Hearings:

ORDINANCE 16-06: AN ORDINANCE OF THE TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON, NEW JERSEY, AUTHORIZING THE ACQUISITION AND CONVEYANCE OF THE PROPERTY DESIGNATED AS BLOCK 35, LOTS 10, 12, AND 60, COMMONLY REFERRED TO AS HIGGINS PROPERTY, A JOINT FUNDED PROJECT WITH THE NEW JERSEY CONSERVATION FOUNDATION AND RARITAN HEADWATERS ASSOCIATION AND APPROPRIATING \$20,000 FROM THE CAPITAL IMPROVEMENT FUND

As proof of publication, the Clerk presented the legal notice from the Hunterdon County Democrat, issue of July 21, 2016. The ordinance was posted and available to the public since introduction on July 14, 2016.

Mayor Wang-Iverson said that the ordinance would provide funding for ancillary costs of the acquisition.

The meeting was open to the public for comments.

Nancy Cunningham, 14 Wertsville Road, felt that this was a “fantastic deal - \$20,000 for hundreds of acres.” She concluded, “Good Job!”

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

Motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously by roll call vote to adopt Ordinance 16-06: Mr. Van Horn, yes; Mr. Miller, yes; Mr. Sageser, yes; Mr. Mathews, yes; Mr. Wang-Iverson, yes.

ORDINANCE 16-07: AN ORDINANCE AUTHORIZING THE PARTICIPATION IN THE PURCHASE AND CONVEYANCE OF PROPERTY DESIGNATED AS BLOCK 35, LOTS 10, 12, AND 60

As proof of publication, the Clerk presented the legal notice from the Hunterdon County Democrat, issue of July 21, 2016. The ordinance was posted and available to the public since introduction on July 14, 2016.

Mayor Wang-Iverson said that after closing on the property, it would be transferred to New Jersey Conservation Foundation.

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

Motion by Mr. Van Horn, seconded by Mr. Miller, and carried unanimously by roll call vote to adopt Ordinance 16-07: Mr. Van Horn, yes; Mr. Miller, yes; Mr. Sageser, yes; Mr. Mathews, yes; Mr. Wang-Iverson, yes.

SPECIAL COMMITTEE REPORTS – None

UNFINISHED BUSINESS

TOWNSHIP ADMINISTRATOR'S UPDATE

1) Resignation of Board of Health Secretary Christine Rosikiewicz, Effective 8/29/16: Mr. Matheny noted that a resolution was approved earlier tonight. He added that he received notice of her resignation on August 17, saying the Township will miss her since she has been here such a long time.

2) Update on Clawson House Bids: The bids that were opened will allow for additional improvements to the house. It is hoped that the Township will be able to cover the first three items on the bid proposal list. He said that there was one low bidder, and the Township Attorney is reviewing bids at this time. He mentioned the resolution adopted earlier in the evening to put grant funding from the County into the Township's budget via the Chapter 159 resolution; funds cannot be certified until the state takes action on this resolution. The intent is to certify funds and award the bid for the work at the next regular meeting.

3) Recent Burglaries in the Township: Mr. Matheny commented on recent burglaries with lots of calls and emails to the Township about the situation. He advised that the Township really does not have the information necessary to give to the residents, adding we have no police department. He said that the State Police have to go through Division headquarters for press releases and usually for newsworthy issues (i.e., what the Township may consider a big problem may not seem so to them). The Prosecutor's Office did put up a notice about the burglaries, and Mr. Matheny noted that the public can get updates from this office on the Township's website. He added that this is the best information that we can provide.

Mr. Van Horn also advised that the burglars are accessing homes through unlocked windows; he recommended that residents keep their windows locked.

4) Damage at Clawson Park: Mr. Matheny said that the gate at the rear of the park, which is a fire entrance, was destroyed by a truck. A neighbor was able to get the license plate of the vehicle and provide it to the Police. The Police went to Milford to contact the motorist, and he was issued 8 summonses. The gate will be replaced by his insurance.

5) Linvale Road Repairs: Mr. Matheny said that Zion Road is complete, referencing the close out certificate for DeSantis Construction. While it was originally thought that there might be enough in the capital ordinance to do the work on Linvale Road, there is not. The bid for DeSantis (Zion) was around \$155,000 and soft costs, but since the State did not provide their \$160,000 grant funding, it was not enough to cover Linvale Road. If the State does provide their contribution, this project may move forward.

MAYOR'S UPDATE

Mayor Wang-Iverson said that he had no update tonight, including for the Kleinschmidt and Special Events topics.

NEW BUSINESS – None

OPEN TO THE PUBLIC

There being no comments from the public, motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously to close to the public.

EXECUTIVE SESSION – None

ADMINISTRATIVE REPORTS

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

All other administrative reports were acknowledged without comment.

CORRESPONDENCE

There were no comments on the correspondence.

ADJOURNMENT

For the record, the Township attorney was present until the end of this meeting. There being no further business, motion by Mr. Van Horn, seconded by Deputy Mayor Sageser, and carried unanimously to adjourn the meeting at 9:30 p.m.

Teresa R. Stahl, RMC/CMC
Municipal Clerk