

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

The Tewksbury Township Committee met on the above date at the Municipal Building, Mountainville, NJ.

The meeting was called to order at 7:35 PM, roll call held and a quorum established. Mayor William Voyce presided.

Other officials in attendance were Township Committee members Robert Becker, Dana Desiderio, Peter Melick and William Voyce.

Absent: DiMare.

Jennifer Ader Acting Municipal Clerk and John Eskilson Interim Administrator, Francis Linnus Township Attorney, Stan Shrek Township Engineer, Timothy Barlow Chief of Police, and Maria Kenia CFO/Tax Collector were in attendance.

There were approximately twenty six members of the public in attendance.

1. Open Public Meetings Statement

Mayor Voyce opened the meeting by announcing that adequate notice of the meeting had been provided by posting a copy thereof on the Police/Administration Building bulletin board, transmitting a copy to the Hunterdon Review and the Hunterdon County Democrat, and filing with the Municipal Clerk, all on January 4, 2019.

2. Flag Salute

Those present stood and pledged allegiance to the American flag.

3. Proclamation for Eagle Scouts

Mr. Melick read the following Proclamation into the minutes of the meeting.

**PROCLAMATION
TO HONOR WILLIAM B. MELICK**

WHEREAS, William B. Melick, Boy Scouts of America Troop 199, has attained the designation of Eagle Scout, Scouting's highest award; and

WHEREAS, William B. Melick has been an active Scout demonstrating outstanding leadership and has contributed many service hours during his years of Scouting; and

WHEREAS, William B. Melick's project involved renovating the outside entrance to the banquet hall of the Oldwick Fire Company; and

WHEREAS, the Oldwick Fire Company, which has been serving the residents of Oldwick and the surrounding areas for over eighty years; and William B. Melick being a fourth-generation member of the Oldwick Fire Company; and

WHEREAS, William B. Melick's Eagle Scout project consisted of installing a fountain, bluestone patio, new shrubs and mulch outside the entrance of the banquet hall.

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey hereby extends to William B. Melick individually, collectively and with great pride, sincere congratulations for achieving this highest of Scouting awards which symbolizes the American ideal of good citizenship and service to community; and

BE IT FURTHER RESOLVED that the Township Committee wishes William B. Melick much success in all his future endeavors.

William Voyce
Mayor

Mayor Voyce read the following Proclamation into the minutes of the meeting.

**PROCLAMATION
TO HONOR MATTHEW A. NOWELL**

WHEREAS, Matthew A. Nowell, Boy Scouts of America Troop 199, has attained the designation of Eagle Scout, Scouting's highest award; and

WHEREAS, Matthew A. Nowell has been an active Scout demonstrating outstanding leadership and has contributed many service hours during his years of Scouting; and

WHEREAS, Matthew A. Nowell's project involved creating an information area for hikers and visitors atop of Hill and Dale Preserve; and

WHEREAS, the NJ Conservation Foundation, which is a non-profit organization whose mission is to preserve state land, and since 1960, the NJ conservation foundation has protected over 120,000 acres of natural areas and farmland throughout the state; and

WHEREAS, Matthew A. Nowell's Eagle Scout project consisted of designing, building and installing four benches, and researching and identifying all sights in view that could be used in the Interpretive sign.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey hereby extends to Matthew A. Nowell individually, collectively and with great pride, sincere congratulations for achieving this highest of Scouting awards which symbolizes the American ideal of good citizenship and service to community; and

BE IT FURTHER RESOLVED that the Township Committee wishes Matthew A. Nowell much success in all his future endeavors.

William Voyce
Mayor

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

Ms. Desiderio read the following Proclamation into the minutes of the meeting.

**PROCLAMATION
TO HONOR DEVEN G. RUNGE**

WHEREAS, Deven G. Runge, Boy Scouts of America Troop 199, has attained the designation of Eagle Scout, Scouting's highest award; and

WHEREAS, Deven G. Runge has been an active Scout demonstrating outstanding leadership and has contributed many service hours during his years of Scouting; and

WHEREAS, Deven G. Runge's project involved building three raised garden beds and repairing the existing gardens beds located at The Lower Valley Presbyterian Church's Community Garden; and

WHEREAS, the Lower Valley Presbyterian Church, which vision is through the community of believers who worship God through prayer, friendship, and dedication; and

WHEREAS, Deven G. Runge's Eagle Scout project consisted of building three 2 foot high x 4 foot wide x 8 foot long raised garden beds for individuals who love to garden but have limited mobility.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Tewksbury, County of Hunterdon, State of New Jersey hereby extends to Deven G. Runge individually, collectively and with great pride, sincere congratulations for achieving this highest of Scouting awards which symbolizes the American ideal of good citizenship and service to community; and

BE IT FURTHER RESOLVED that the Township Committee wishes Deven G. Runge much success in all his future endeavors.

William Voyce
Mayor

Ms. Desiderio moved adoption of the Proclamations, seconded by Mr. Becker. Ayes: Becker, Desiderio, Melick, Voyce. Nays: None. Absent: DiMare.

4. PUBLIC PARTICIPATION

Ms. Davisson from the Tewksbury Land Trust presented a proposal for the Fox Hills Preserve since the Tewksbury Land Trust secured a grant from Green Acres. The Land Trust is requesting from the Tewksbury Township to cosign the application, (for administrative purposes only) on required Highlands Exemption #10 and NJDEP General permits for completing trail improvements.

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

Mr. Becker questioned whose engineering license would be used when submitting the application, Ms. Davisson explained that DK Environmental does have the ability to sign the application.

Mr. Melick inquired about the liability to the township, future maintenance of this project and the financial burden.

Ms. Davisson explained that the preserve will be owned and managed by the Tewksbury Land Trust, which the association is trying to be proactive on the trails to avoid problems.

Mr. Melick put to the question if there is funds dedicated to trail maintenance.

Ms. Davisson explained that as a nonprofit, there are groups to help maintain trails. The more use a trail gets the easier it is to maintain the trail. The Land Trust is also looking into the option to have an adopt a trail or section of a trail arrangement

Mr. Linnus explained that the application should be looked over by the attorney, the township engineer should look over the plan, and the township insurance company should be contacted to assess liability.

Mr. Becker questioned the timeline of when the application needs to be submitted by, in which Ms. Davisson explained that this is a two year grant. The construction would need to start in this calendar year with the money from the grant spent by next year.

Mr. Schrek requested that the plans be given to his office so he would be able to advise at the next township meeting in June.

Mr. Melick probed on whether residents can also use this exemption.

Exemption # 10 is specific for transportation and trails and is granted to state and local agencies for building roads, new through roads cannot be built.

Ms. Kenia inquired who would manage the grant the township or the Tewksbury Land Trust, in which Ms. Davisson replied the Tewksbury Land Trust and the grant is a reimbursement grant.

Ms. Desiderio stated that she appreciates the work that the Tewksbury Land Trust has done.

Mr. Cassa stated in response to Mr. Melick's prior comment, there is a total of 17 exemptions in the Highlands Act, roughly half can be granted by the municipality who agrees to take the responsibility for granting the exemptions with the trails locally by designating that the administrator or other authorized party can do that. The township should assume responsibility of the delegation of those selected.

The Tewksbury Trust is requesting approval of a gravel pull off for approximately two or three cars within the right of way on the property at Block 28 Lot 27 at the cost of township.

Chief Barlow questioned what the site distance for the cars pulling in and pulling out of that property? Ms. Davisson responded it would be at the flattest part, which should be relatively good although need to check a few of the trees, but willing to make it work under the ordinances.

Mr. Schrek, is requesting that the township engineer should look at the plans before making a decision.

Mr. Becker questioned who the Tewksbury Land Trust anticipates doing the work for the pull off, what would be the cost, including personnel and material.

Mayor Voyce announced that the Comcast discussion will be postponed to next month and the New singular wireless AT&T that to will be heard next month.

Mr. Cykowski inquired on the status of the Beau Champs sub division. At this time Mayor Voyce Recused himself from the conversation. Mr. Becker informed the residents that this subject will be discussed in executive session. Mr. Cykowski would like to go on record that it has been

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

brought up by his neighbor Brandi six months ago in November, and my first question relates to safety – the street has been in this condition for twenty years, the subdivision was approved twenty years ago. There is a fire tank on the street, can the committee tell me that in the six months that you been of the aware of the situation has the fire tank been inspected by the township engineer, has the township engineer been out to the street to make sure that it is safe for public usage, that children can ride their bikes, people can walk their dogs?

Mr. Melick stated that he knew that the engineer has been out there, unfortunately our prior engineer passed away earlier this month, so our newly appointed engineer Mr. Schrek is going to have to go see it.

Ms. Cykoswoski questioned if the fire tank has been inspected lately, in which Mr. Melick responded that Oldwick Fire Company inspected it two months ago, and the neighbor has shrubs planted to specifically conceal it, in which will need to be removed completely in order to get it up to standards.

Mr. Cykoswoski stated that a resolution passed twenty years ago stated that performance and maintenance bonds be posted, is it possible to access these bonds in order to get the repairs done on the street, in which Mr. Melick explained that is the issue of what the committee will be going over during the executive session. Mr. Linnus informed the residents that we do have a representative for the owner here. Mr. Becker informed the residents that once the issue is resolved then the minutes from the executive session will be released, but there is no time table on when this will be resolved.

Mr. Zuzik stated that the fire tank was installed, inspected, tested and active by the fire department even before development started. It is marked for fire access. It is a 10,000 gallon tank which was tested and reviewed. Mr. Melick stated that Fairmount Fire Company check it regularly.

Mr. Zuzik believes that the potholes got worse this year in the beginning and the end of the road. The last property is also being listed soon. Mr. Zuzik gets a road review and the only thing left needed to do is the top coat and shade trees. Everything else has been signed off. The reduction in bond was signed off which Mr. Zuzik gave to the township attorney this evening. Mr. Zuzik gave the township attorney a copy of the road estimate to top coat from Renda Roads in Whitehouse. There is four pot holes, as of today. There is a heaving on part of the road on the cul de sac where the snow and ice was piled up. The house and the property is being listed with Glori-Ann. Mr. Zuzik spoke with the township attorney about options in lieu of the property being sold for the balance for the road to be completed when the last piece is sold, and gave the township attorney the bond reduction and the escrow statement as of tonight. Mr. Zuzik plows and cleans the road himself.

Ms. Harkins requested the reduction in heavy equipment used by the town using the road and turning around. My property has the detention basin on it and near the basin is where there is an actual hole near the sewer, which is not just needed to be paved but a hole to be fixed.

Mr. Zuzik stated that the three potholes will be fixed before the next township committee meeting. There also will be a sign going up when the property goes for sale.

Mayor Voyage returns to the meeting.

Mr. Silverthorne is here to discuss the budget, but thank everyone for the support over the years. In regards to the tack unit the Oldwick Fire Company is asking for the support of the committee for a new vehicle but the equipment will be taken off the prior unit in order to save funds, and in addition the Oldwick Fire Company would like the committee to consider putting

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

aside money every year for purchasing of trucks such as the pumper which needs to be replaced in 2025.

Mr. Shepard of Winterwood Road which is a private road, inquired about options for maintenance of the road. There is a municipal services act which was just learned about. Title 39 upon request of a resident the town will supply a public safety for the private road, Title 40 gives the town the option to provide the means for the private road or reimbursement to the property owners for maintenance. Mr. Shepard was inquiring if this is appropriate for this private road. The county map of 1965 sub division that broke apart a lot of the property on Winterwood shows it as a driftway or a bi-road. This road requires regular maintenance of five to eight yards of gravel by the end of the week, which I handle most of the maintenance myself. Some of the residents on the private road are not willing to help financially in maintaining the road including plowing during the winter. Mr. Shepard is handing in a letter to the Municipal Clerk requesting the public safety under Title 39 be enacted for Winterwood Road.

Mayor Voyce and the township engineer have to see what the options are.

Mr. Linnus is familiar with Title 39 and believes it is optional for the township.

Mr. Eskilson and agrees with the township attorney that it is optional for the township. The municipal services act usually is with a homeowners association.

Ms. Dillon reminded the township committee of the upcoming lecture on May 16, 2019 from 2-4pm at the Bedminster Library on the topic of storm water. Ms. Dillon also stated that the minutes from March 26 were inaccurate for the summary of Ms. Dillions comments during public participation in the first paragraph, and requested an amendment of the minutes.

Ms. Desiderio stated that the audio minutes are posted on the website.

Mr. Linnus informed the committee that there is always a procedure to amend.

The township committee requested something in writing from Ms. Dillion of what she proposed the minutes in question should be and pass them over to the Acting Municipal Clerk to discuss for the next meeting for the committee to review. Ms. Dillon will keep the township committee posted on opportunities for storm water.

Ms. Brakewood inquired about why the health benefits are continuing and if there is any way to change those.

Mr. Linnus informed the township committee and the residents that there was an executive session about the health benefits and the determination that Mr. Linnus made was from looking at the statue and the health benefits law and it appears the parties are grandfathered. The initial determination based on research is that the state law prevails and supersedes any local ordinance.

Ms. Brakewood questioned if the township committee had to take the insurance, in which Mr. Linnus stated there is always an option for a township member to not opt in.

5. Actions to be taken

Ordinance Public Hearing/Adoption

Mr. Becker made a motion to open the Public Hearing on Ordinance #05-2019, seconded by Ms. Desiderio. The motion was approved. Ayes: Becker, Desiderio, Melick, Voyce. Nays: None, Absent: DiMare.

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

Ms. Ader provided proof of publication dated 05-02-2019 from the Hunterdon County Democrat, and proof that the Land Use Board did not find the ordinance 05-2019 inconsistent with the Master Plan.

There being no comments from the public, Mr. Melick made a motion to close the Public Hearing on Ordinance #05-2019, seconded by Mr. Becker. The motion was approved. Ayes: Becker, Desiderio, Melick, Voyce. Nays: None. Absent: DiMare.

Mr. Becker moved adoption of ordinance #05-2019, seconded by Mr. Melick. A roll call vote was taken and the motion was approved. Ayes: Becker, Desiderio, Melick, Voyce. Nays: None. Absent: DiMare.

ORDINANCE # 05-2019

AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY TO AMEND THE TOWNSHIP OF TEWKSBURY DEVELOPMENT REGULATIONS ORDINANCE (2000) TO ESTABLISH A TOWNSHIP-WIDE AFFORDABLE HOUSING SET-ASIDE REQUIREMENT AND TO SET FORTH THE STANDARDS AND CRITERIA APPLICABLE THERETO

WHEREAS, the Township Committee of the Township of Tewksbury desires to create a realistic opportunity for the creation of affordable housing within the Township; and

WHEREAS, this ordinance is intended to provide assurances that very low, low and moderate income units (“affordable units”) are required when certain types of applications for development are approved; and

WHEREAS, this ordinance is intended to implement and be consistent with the New Jersey Fair Housing Act (N.J.S.A. 52:27B-310, et seq);

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Tewksbury, in the County of Hunterdon and State of New Jersey, as follows:

Section 1. The Township of Tewksbury Development Regulations Ordinance (2000) is amended to add a new Subsection 28 entitled “Township-Wide Set-Aside Requirements,” said section to read as follows:

Subsection 28 Township-Wide Set-Aside Requirements.

- a. Any property in the Township of Tewksbury that receives Land Use Board approval, a zoning change, density variance or approval of a redevelopment or rehabilitation plan to permit multi-family residential development, including the residential portion of a mixed-use project, which multi-family residential development will yield five (5) or more new dwelling units, shall provide a minimum affordable housing set-aside for occupancy by low or moderate income households of at least twenty (20%) percent of the residential units constructed, to the extent this is economically feasible, pursuant to N.J.S.A. 52:27D-329.9(a), whether the units will be for rent or for sale, as the Township is located

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

within the jurisdiction of the Highlands Water Protection and Planning Council pursuant to N.J.S.A. 13:20-11.

- b. This requirement shall not apply to residential development on sites that are zoned for inclusionary residential development as part of the Township's Housing Element and Fair Share Plan, which are subject to the affordable housing set-aside requirements set forth in the applicable zoning.
- c. This requirement does not, and shall not be construed to, grant or entitle any property owner or developer the right to any development approval, rezoning, variance or other relief, or adoption of a redevelopment plan or amended redevelopment plan in areas in need of redevelopment or rehabilitation, nor does this requirement establish any obligation on the part of the Township of Tewksbury to grant any such development approval, rezoning, variance or other relief.
- d. A property shall not be permitted to be subdivided so as to avoid compliance with this requirement.
- e. All subdivision and site plan approvals of qualifying residential developments shall be conditioned upon compliance with the provisions of this section.
- f. Should it be determined that it is not economically feasible to provide a minimum affordable housing set-aside of twenty (20%) percent pursuant to N.J.S.A. 52:27D-329.9(a), whether the units will be for rent or for sale, then only in such an event, any property that benefits from a development approval, rezoning, variance or other relief, or adoption of a redevelopment plan or amended redevelopment plan in areas in need of redevelopment or rehabilitation, that results in multi-family residential development of five (5) dwelling units or more at a density of six (6) dwelling units or more per acre, shall provide a minimum affordable housing set-aside of twenty (20%) percent for affordable for-sale units and a set-aside rate of fifteen (15%) percent for affordable rental units.
- g. All affordable units created pursuant to this Section shall be governed by the provisions of Chapter 15.12 of the Code of Ordinances of Tewksbury Township, "Affordable Housing Program" where not inconsistent with the provisions of this ordinance.

Section 2. If any section, paragraph, subsection, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

Section 3. All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED by the Tewksbury Township Committee that this ordinance shall take effect immediately upon publication following final passage and the filing of a copy hereof with the Hunterdon County Planning Board and the Highlands Council.

William Voyce
Mayor

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

**6. Actions to be taken
2019 Budget Public Hearing/Adoption**

Mr. Melick made a motion to open the Public Hearing on the Adoption of the 2019 Budget, seconded by Mr. Becker. The motion was approved. Ayes: Becker, Desiderio, Melick, Voyce. Nays: None, Absent: DiMare.

Ms. Ader provided proof of publication dated 04-18-2019 from the Hunterdon County Democrat.

There being no comments from the public, Mr. Melick made a motion to close the Public Hearing on the 2019 budget, seconded by Mr. Becker. The motion was approved. Ayes: Becker, Desiderio, Melick, Voyce. Nays: None. Absent: DiMare.

Mr. Becker moved adoption of the 2019 budget, seconded by Mr. Melick. A roll call vote was taken and the motion was approved. Ayes: Becker, Desiderio, Melick, Voyce. Nays: None. Absent: DiMare.

7. Consent Agenda

Mr. Becker requested that the executive session minutes of April 9 be removed from consent agenda and voted on separately.

Mr. Becker moved the adoption of the Consent Agenda as amended, seconded by Ms. Desiderio. A roll call vote was taken and the motion was approved. Ayes: Becker, Desiderio, Melick, Voyce. Nays: None. Absent: DiMare.

TEWKSBURY TOWNSHIP, NEW JERSEY

Resolution No: 61-2019 Adoption Date: May 14, 2019

A RESOLUTION AMENDING THE AGREEMENT WITH VAN CLEEF ENGINEERING ASSOCIATES

WHEREAS, on January 2, 2019, the Tewksbury Township Council adopted Resolution 18-2019 appointing certain Township Professional including Van Cleef Engineering Associates as Township Engineer; and

WHEREAS, the Township subsequently executed an agreement with Van Cleef Associates for services as Township Engineer; and

WHEREAS, said agreement with Van Cleef Engineering Associates designates Eugene Buczynski as the primary engineer for municipal services rendered to the Township; and

WHEREAS, due to Mr. Buczynski's recent untimely death, Van Cleef Engineering Associates must designate a primary engineer to replace Mr. Buczynski; and

WHEREAS, Van Cleef Engineering Associates has designated Stanley Schrek as the primary engineer for municipal services rendered to the Township.

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Tewksbury that it hereby authorizes the Mayor and Clerk to execute and amended agreement with Van Cleef Engineering Associates designating Stanley Schrek as the primary engineer for municipal services rendered to the Township.

William Voyce
Mayor

TEWKSBURY TOWNSHIP, NEW JERSEY

Resolution No: 62-2019 Adoption Date: May 14, 2019

**A RESOLUTION TO ACCEPT FUNDS FROM SOMERSET COUNTY'S PROSECUTOR'S OFFICE
CHAPTER 159**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of 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, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Tewksbury has received \$2,640.00 from the Somerset County's Prosecutor's Office for a Distracted Driving Enforcement Grant

WHEREAS, the Township of Tewksbury wishes to amend its 2019 Budget by an additional \$2,640.0 to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Tewksbury, County of Hunterdon, State of 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 2019 in the sum of \$2,640.00 which is now available as a revenue from:

Distracted Driving Enforcement Grant

BE IT FURTHER RESOLVED, that the Clerk forward one (1) copy of this Resolution to the Director of the Division of Local Government Services.

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

William J. Voyce
Mayor

TEWKSBURY TOWNSHIP, NEW JERSEY

Resolution No: 63-2019 Adoption Date: May 14, 2019

A RESOLUTION AUTHORIZING FOR SALE OF NOTES SPECIAL EMERGENCY APPROPRIATION PREPARATION AND IMPLEMENTATION OF THE REVALUATION OF REAL PROPERTY

WHEREAS, an ordinance (03-2019) has been adopted creating a special emergency appropriation of \$148,000 to meet certain expenses to be incurred for the preparation and implementation of the revaluation of real property for the use by the Tewksbury of Tewksbury and N.J.S.A. 40A:4-53 provides for the creation of a special emergency appropriation for the purpose above mentioned;

NOW, THEREFORE, BE IT RESOLVED BY THE TEWKSBURY COMMITTEE OF THE TEWKSBURY OF TEWKSBURY, COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all the members, thereof, affirmatively concurring) that in accordance with N.J.S.A. 40A:4-55:

1. The sum of \$148,000 is hereby appropriated for the preparation and implementation of the revaluation of real property, and shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A 4 -53.
2. That an emergency note or notes be authorized not in excess of \$148,000, the amount appropriated by the Ordinance stated above.
3. That said note or notes shall be issued in fiscal 2019 and may be renewed from time to time and at least 1/5 of all such notes and renewals, thereof, shall mature and be paid in each fiscal year thereafter until all are paid.

William J. Voyce
Mayor

MISCELLANEOUS

- Claims submitted by the CFO
- Regular minutes of 4/23/2019 –ES minutes of 4/23/2019
- Correspondence List –
 - a) From State of New Jersey – Plan performance grant#09-033-11-1024

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

- b) From New Jersey Department of Education – NJDOE BUDGET N. Hunterdon/Voorhees
- c) From State of New Jersey Department of Community Affairs – continued professional development of local Code and Building Officials
- d) From Readington Township – Ordinance #08-2019 An ordinance amending and supplementing the district regulations contained in article IV of chapter 148 entitled “Land Development” of the code of the Township of Readington Land Use volume relating to sec 148-31 cemeteries
- e) From Hunterdon County Soil Conservation District – Block 7 Lot 21.02
- f) From Borough of Flemington – Comments submitted on behalf of the Borough of Flemington on Proposed Amendments to surface water standards
- g) From New Jersey Senate – resolution in support of path to progress recommendations made by New Jersey Economic and Fiscal Policy Workgroup
- h) From Township of Chester – Ordinance # 04-2019 An ordinance to amend chapter 113, land use, part 3, soil removal and land disturbances, article 19 developments, section 113-135 “run off”; part 3 soil removal and land disturbances, article 20, site grading plans, section 113-136, “Detailed site grading plans” part 4, subdivision of land, article 30, design standards for subdivisions, section 113-204, “stormwater detention”; and part 8, stormwater control, article 57, design and performance standards, section 113-387 “scope and purpose”
- i) From Hunterdon County Chambers of Commerce – Monthly newsletter
- j) From The Land Conservancy – 2018 Annual Report

Items removed from Consent Agenda

Executive session of 4/9/2019 minutes. Mr. Becker made a motion to approve with the correction on the minutes of 4/9/2019 reflecting that both parties were RICED in accordance to rules and regulations, seconded by Mr. Melick. Ayes: Becker, Desiderio, Melick, Voyce. Nays: None. Absent: DiMare.

7. Presentation/Discussion

Memorial Benches

Requests to donate memorial benches from two separate families to be placed at the same location at Christie Hoffman Park were received. Ms. Kaufman, a chair person for the parks committee stated that only one bench should be at the location making it the memorial bench, and between the DPW superintendent and the Parks committee other locations for benches could be found.

Affordable Housing

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

Mr. Linnus informed the township committee that there will be a few ordinances for affordable housing being introduced at the next township committee meeting.

9. Reports

Township Committee Sub Committees & Township Committee Comments

Mr. Becker noted the following items:

Communication-

Appraisal systems will be having a 2nd meeting on Wednesday, May 29 from 6pm – 8pm at the Old Turnpike School. The tax assessor will be putting out information on where and when inspections are starting on the webpage.

Ms. Desiderio reminded the township residents to let the inspectors into their houses. Ms. Obiedzinski informed the township committee that the revaluation inspections have not started yet. Please check the website under Revaluations to see what streets the inspectors will be on.

Mayor Voyce noted the following items:

Pottersville Bridge surface has been causing bicyclists to fall and get hurt. The bridge is not square to the road which causes grip to be lost quickly, especially in wet weather. Both counties own part of that bridge.

Mr. Melick is making a motion requesting a letter be sent to the Hunterdon County Engineer about putting up signs warning bicyclists about the surface of the bridge, seconded by Mr. Becker. Ayes: Becker, Desiderio, Melick, Voyce. Nays: None. Absents: DiMare.

Chief Barlow stated that Somerset County has signs on the bridge for bicyclists to walk their bikes across the bridge.

Mr. Cassa speaking on behalf of roads and bridges commission has been advised that the bridge is on the list to be replaced, and is requesting that the letter to the county engineer should also have the county confirm that information.

COAH-

Affordable housing meeting will be Thursday, 16, 2019 at 8am.

Mr. Schrek introduced himself as the township engineer, who is a principal partner at Van Cleef Engineering. Mr. Schrek is in the process of examining the previous engineer's files, and also met with the DPW and reviewed a few storm water permits.

Mr. Linnus, the township attorney, stated that during executive session he will discuss a number of topics.

Mr. Eskilson, interim township administrator, submitted a written report which includes highlights of the past month and a budget review of the last 5 years.

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

Chief Barlow informed the committee that the police department participated in the Distracted Driving Initiative, in which the police department received a grant from Somerset County. 107 summons were written last month and 70 of them were for distracted driving. There was a quarterly meeting with the township first responders and the township chiefs and the issue of concern arose of the ordinance for alarms and the breakdown on the violations. There is no time limit. The Chief's suggest is to make the time limit be within a 365 day time of when a fee can be charged per violation.

31 solicitor license applications came into the township last month, which was denied based on the lack of criminal histories. The chief does not have the ability to check the criminal history for out of state applicants, which all were. The chief requested certified copies from each of the applicant's state of residence and Aptive Environmental are claiming that the ordinance is unconstitutional. Mr. Linnus advised that we will be discussing this in executive session.

Chief Barlow informed the committee that Tewksbury along with surrounding towns had an issue with this company last year.

The police department received eighty applications, on April 30, 2019 seventy three showed up for the written test, in which 40 passed. The police department received a check for \$5,100 from a company to be used towards their training, uniforms, and the testing. On May 11, 2019 there was the physical agility test which 33 applicants participated and narrowed the applicants down to the top ten. The interviews will be occurring this Thursday and Friday narrowing down to five, and then following week be able to present the five to the township committee.

Mr. Melick questioned which account the check for \$5,100 needs to go to, Chief Barlow stated he will double check with the CFO. It was explained to Chief Barlow that the current line item for education would be reimbursed.

10. Executive Session

BE IT HEREBY RESOLVED in accordance with the provisions of N.J.S.A. 10:12 and 13, the public shall be excluded from the Executive Session of the Township Committee which is being held for the discussion of the following subject matters: 1. Pending or anticipated litigation or contract negotiation; 2. Personnel matters; 3. This Executive Session shall continue for an indefinite period of time and upon termination of the Executive Session, the Township Committee may choose to resume the public portion of the meeting. The discussion, which shall be conducted in closed session, shall be disclosed upon termination of litigation or contractual matter, upon resolution of the personnel matter with consent of said person or persons and as provided by N.J.S.A. 4-12 but in no case later than two (2) years from this date. These minutes shall be available as soon as the matter is resolved or not later than two years hence.

- Personnel
- Litigation
- Negotiation

Ms. Desiderio made a motion to enter executive session at 7:56 PM, seconded by Mr. Becker. Ayes: Becker, Desiderio, Melick, Voyce. Nays: None. Absent: DiMare

**TOWNSHIP COMMITTEE
MAY 14, 2019 MINUTES**

11. Reconvened

The meeting reconvened at 9:40 PM.

Mayor Voyce recused himself from the remainder of the meeting.

Ms. Desiderio made a motion to authorize settlements of the 15 pending tax appeals, seconded by Mr. Becker. Ayes: Becker, Desiderio, Melick. Nays: None. Absents: DiMare, Voyce.

Ms. Desiderio made a motion for authorization for Mr. Linnus to send a letter to Aptive Environmental that their letter is under review and we may amend the ordinance if appropriate, and also notify them they have option to appeal, seconded by Mr. Becker. Ayes: Becker, Desiderio, Melick. Nays: None. Absent: DiMare, Voyce

Mr. Becker made a motion for Mr. Linnus to settle the Clucas litigation, seconded by Ms. Desiderio. Ayes: Becker, Desiderio, Melick. Nays: None. Absent: DiMare, Voyce

Mr. Becker made a motion that Stan Shrek, Township Engineer be in contact with Mr. Zuzik about Beaux Champs, seconded by Ms. Desiderio. Ayes: Becker, Desiderio, Melick. Nays: None. Absent: DiMare, Voyce.

The next meeting will be June 11, 2019

12. Adjournment

There being no further business, the meeting was adjourned at 9:43 PM.

Motion made by Mr. Becker, seconded by Ms. Desiderio. Ayes: Becker, Desiderio, Melick. Nays: None. Absent: DiMare, Voyce

Jennifer Ader
Acting Municipal Clerk