



**DELAWARE TOWNSHIP**  
**COMMITTEE MINUTES**  
**March 25, 2019 – 7:30 P.M.**

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Mayor Joseph Vocke called the regular meeting of the Delaware Township Committee to order on March 25, 2019 at 7:30 p.m., at the Delaware Township Municipal Building, 570 Rosemont Ringoes Road (County Route 604) in Sergeantsville, New Jersey.

**PLEDGE OF ALLEGIANCE**

All present recited the Pledge of Allegiance.

**NOTICE REQUIREMENTS**

Mayor Vocke read a statement noting the Notice Requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Hunterdon County Democrat, Trenton Times, Courier News, and Star Ledger, by posting at the Delaware Township Municipal Building, and by filing with the Township Clerk all on January 4, 2019.

**ROLL CALL**

Present: Daniel Kwasnik, James Waltman, Susan Lockwood, Charles Herman, Joseph Vocke  
Absent: None

**APPROVAL OF MINUTES FROM MARCH 11, 2019 TOWNSHIP COMMITTEE MEETING**

Mr. Herman motioned to approve the minutes from the March 11, 2019 Township Committee Meeting. Mr. Waltman seconded the motion.

Roll Call Vote:       Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
                              Nays - None  
                              Absent/Abstain: None

**TOWNSHIP COMMITTEE REPORTS**

**Historic Advisory**

Mrs. Lockwood reported the owners of the other property next to the Moore Cemetery have agreed to deed over an access point to the cemetery.

Mr. Herman stated the estimate the Township received for the legal, surveys and other soft costs for the Moore Cemetery was approximately \$3,300.00. Mr. Herman suggested that the Township Committee send this proposal to the Open Space Committee to review and the Open Space Committee can discuss funding this project.

Mrs. Lockwood stated the Historic Advisory Committee would like to review their January 2019 expenses for the Township Attorney.

Mrs. McDaniel will forward them a copy of the January 2019 bill that the Township received.

**Energy Aggregation Program**

Mrs. Lockwood stated she would like to invite the Energy Aggregation group to meet at the Delaware Township Municipal Building on April 3, 2019. Mrs. Lockwood will reserve a room if it is decided to conduct the Energy Aggregation meeting at the Municipal Building.

### **Bellsflower property**

Mr. Herman, Mayor Vocke, Chief Fleming from the Sergeantsville Volunteer Fire Department and Mr. Mummey met to discuss the easement on the Bellsflower property that is being preserved. Chief Fleming stated that the emergency services do not need to have access to this property. Mr. Herman stated that this easement would have been needed if this property was to become a development. Mr. Herman stated that since the Bellsflower property is now being preserved there will not be a need for an easement on this property.

Mr. Herman motioned to send a letter to the State Agriculture Development Committee stating that Delaware Township will not be requesting any easements on the Bellsflower property. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

### **DPW**

Mr. Herman stated that Mr. Trstensky is requesting authorization to rent machinery and obtain additional stone to begin the maintenance needed for the trail work at Dilts Park. Mr. Herman stated the estimate for completing this project will be between \$5,500.00 to \$6,000.00.

The Township Committee agreed to authorize Mr. Trstensky request.

Mr. Herman will contact Mr. Trstensky to give him authorization to rent the machinery and obtain the stone that would be needed to begin this project.

Mr. Kwasnik stated that in the month of April the Road Commissioners will meet with Mr. Trstensky to review the 2019 road projects and what materials will be needed.

### **Recreation Commission**

Mr. Herman stated that there was a verbal agreement with the Recreation Commission last year supporting the change of funding for the Porta John's at Dilts Park. Mr. Herman stated that as of June 2018 the Recreation Commission would not be billed for the Porta Johns expense and that this expense would change to be covered by Dilts Park funds. Mr. Herman recommended that the Township Committee reimburse these funds to the Recreation Trust Fund from June 2018 for the Porta Johns.

Mr. Herman motioned to authorize Mrs. McDaniel to create a resolution to reimburse the Recreation Trust Fund from the 2018 Budget Appropriations in the amount of approximately \$1,300.00. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

Mr. Herman stated that the Recreation Commission requested that the Township cover the Recreation Commission insurance bills. Mr. Herman stated that these insurance bills were researched and these costs were strictly for Recreation Commission uses. Mr. Herman stated the Recreation Commission will need to continue to pay for the insurance fees that they incur for Recreation programs.

Mayor Vocke reported April 13, 2019 will be the opening day for the baseball and softball season at Dilts Park. Mayor Vocke stated that April 6, 2019 will be clean up in the park and volunteers are always needed.

### **Hunterdon Central High School**

Mayor Vocke stated Hunterdon Central will be having a presentation on the future of Hunterdon Central on March 26, 2019 at 6:30 p.m.

## **Pipeline**

Mrs. Lockwood stated that Mr. Bob Wolferz from the Rosemont Water Company has been working with a retired member of the New Jersey Geological Survey on a technical report. Mrs. Lockwood stated that this report will point out specific concerns regarding horizontal directional drilling and the effects on the water supply. Mr. Wolferz presented the report to the Pipeline Sub-Committee for review and comments. Mr. Wolferz will be submitting the technical report to NJDEP and the New Jersey Attorney General.

Mrs. Lockwood stated that the Pipeline Sub-Committee discussed the Freeholder's letter asking for Municipalities to endorse research into a possible conflict of interest between the head of New Jersey Economic Development Commission and the pipeline. Mrs. Lockwood stated that the Pipeline Sub-Committee does not feel comfortable endorsing this letter since there isn't firsthand knowledge on this conflict and why this person might have a conflict in this matter. Mrs. Lockwood stated that the recommendation from the Pipeline Sub-Committee is that the Township Committee make the decision on this matter and create the endorsement.

Mr. Herman motioned to endorse the Freeholders' request to have the Attorney General investigate and clarify if there is a conflict of interest between the head of the New Jersey Economic Development and the pipeline. Mr. Waltman seconded the motion, and the members unanimously approved the motion by all in favor vote.

## **MEETING OPEN TO THE PUBLIC FOR COMMENTS ON AGENDA ITEMS ONLY**

No comments were made.

## **ORDINANCE 2019-03- FIRST READING**

### **DELAWARE TOWNSHIP** **ORDINANCE #2019-03**

WHEREAS, the Local Government Cap Law, NJSA 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5 percent (2.5%) unless authorized by ordinance to increase it to three and one-half percent (3.5%) over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, NJSA 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the three and one-half (3.5%) percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Township of Delaware in the County of Hunterdon finds it advisable and necessary to increase its CY 2019 budget by up to three and one half percent (3.5%) over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Governing Body hereby determines, that a three and one half percent (3.5%) increase in the budget for said year, amounting to \$36,771.36 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Governing Body of the Township of Delaware hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NEW, THEREFORE BE IT ORDAINED, by the Governing Body of the Township of Delaware, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Township of Delaware shall, in accordance with the ordinance and NJSA 40A:4-45.14 be increased by 3.5%, amounting to \$128,699.76, and that the CY 2019 municipal budget for the Township of Delaware be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote thereon, be filed with said Director within five (5) days after such adoption.

\_\_\_\_\_  
Joseph Vocke, Mayor

ATTEST:

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
March 25, 2019

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held March 25, 2019. It will be considered on second reading for final adoption at a regular meeting to be held April 29, 2019 beginning 7:30 P.M. at Township Hall, Sergeantsville, New Jersey. At that time an opportunity will be given for all interested citizens to be heard.

Mr. Herman motioned to approve Ordinance #2019-03 on first reading, and Mr. Waltman seconded the motion for first reading by roll call vote.

Mr. Herman stated that the Township is not raising the taxes by 3.5%. Mr. Herman stated that this ordinance banks the funds in case there is ever a need to exceed the CAP.

Mrs. McDaniel agreed that this ordinance is used to bank the funds in case there is ever a need and this ordinance is required annually by every municipality in the State.

Roll Call Vote:       Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
                          Nays - None  
                          Absent/Abstain: None

**RESOLUTION 2019-23** –

**TOWNSHIP OF DELAWARE**  
**COUNTY OF HUNTERDON**  
**RESOLUTION #2019-23**

**WHEREAS**, regulations of the State of New Jersey provide for the deferral of school taxes in an amount not to exceed fifty percent of the annual school tax levy when such taxes are raised on a fiscal year basis (school year July 1 through June 30); and

**WHEREAS**, said taxes subject to deferral have not been requisitioned by or paid to the school district; and

**WHEREAS**, it is the desire and intent of the governing body of the Township of Delaware, County of Hunterdon, to avail the Township of the deferral as permitted by regulations promulgated by the Local Finance Board, Division of Local Government Services, New Jersey Department of Community Affairs; and

**WHEREAS**, fifty percent of the school tax levy of the Delaware Township School District is \$4,271,130.00

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Committee of the Township of Delaware, County of Hunterdon, hereby authorize the Chief Financial Officer of

the Township to defer \$2,050,142.40 of school taxes as permitted by the aforementioned regulation; and

**BE IT FURTHER RESOLVED**, that certified copies of this resolution be forwarded to the Chief Financial Officer of the Township and the Director of the Division of Local Government Services, Department of Community Affairs.

ATTEST:

\_\_\_\_\_  
Jodi McKinney  
Township Clerk  
March 25, 2019

\_\_\_\_\_  
Joseph Vocke, Mayor

CERTIFICATION

I HEREBY CERTIFY this to be a true and exact copy of Resolution #2019-23 approved by the Delaware Township Committee on March 25, 2019.

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk

Mrs. Lockwood motioned to open a discussion on Resolution #2019-23. Mr. Herman seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

RESOLUTION 2019-24 –

TOWNSHIP OF DELAWARE  
COUNTY OF HUNTERDON  
RESOLUTION #2019-24

**WHEREAS**, regulations of the State of New Jersey provide for the deferral of school taxes in an amount not to exceed fifty percent of the annual school tax levy when such taxes are raised on a fiscal year basis (school year July 1 through June 30); and

**WHEREAS**, said taxes subject to deferral have not been requisitioned by or paid to the school district; and

**WHEREAS**, it is the desire and intent of the governing body of the Township of Delaware, County of Hunterdon, to avail the Township of the deferral as permitted by regulations promulgated by the Local Finance Board, Division of Local Government Services, New Jersey Department of Community Affairs; and

**WHEREAS**, fifty percent of the school tax levy of the Hunterdon Central Regional High School District is \$2,354,448.00.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Committee of the Township of Delaware, County of Hunterdon, hereby authorize the Chief Financial Officer of the Township to defer \$1,083,046.08 of school taxes as permitted by the aforementioned regulation; and

**BE IT FURTHER RESOLVED**, that certified copies of this resolution be forwarded to the Chief Financial Officer of the Township and the Director of the Division of Local Government Services, Department of Community Affairs.

ATTEST:

\_\_\_\_\_  
Jodi McKinney  
Township Clerk  
March 25, 2019

\_\_\_\_\_  
Joseph Vocke, Mayor

CERTIFICATION

I HEREBY CERTIFY this to be a true and exact copy of Resolution #2019-24 approved by the Delaware Township Committee on March 25, 2019.

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk

Mrs. Lockwood motioned to open a discussion on Resolution #2019-24. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

**RESOLUTION 2019-25** –

**TOWNSHIP OF DELAWARE**  
**COUNTY OF HUNTERDON**  
**RESOLUTION #2019-25**

**WHEREAS**, the Township of Delaware desires to anticipate as an item of general revenue with prior written consent of the Director of Local Government Services in the amount of \$1,136.99 and

**THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Delaware that the prior written consent of the Director of Local Government Services be requested to include as an item of general revenue in the 2019 Budget under the following caption:

Body Armor Fund

**BE IT FURTHER RESOLVED** that TWO certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services

ATTEST:

\_\_\_\_\_  
Jodi McKinney  
Township Clerk  
March 25, 2019

\_\_\_\_\_  
Joseph Vocke, Mayor

**CERTIFICATION**

**I**, Jodi McKinney, Clerk of the Township of Delaware hereby certify that the foregoing is a true and exact copy of the Resolution #2019-25 adopted at a meeting of said Governing Body of the Township of Delaware held on the 25th day of March 2019.

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk

Mrs. Lockwood motioned to open a discussion on Resolution #2019-25. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

**RESOLUTION 2019-26** –

**TOWNSHIP OF DELAWARE**  
**COUNTY OF HUNTERDON**  
**RESOLUTION #2019-26**

**WHEREAS**, the Township of Delaware desires to anticipate as an item of general revenue with prior written consent of the Director of Local Government Services in the amount of \$32,700.00

**THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Delaware that the prior written consent of the Director of Local Government Services be requested to include as an item of general revenue in the 2019 Budget under the following

caption:

Share of Court Costs-Franklin Township

**BE IT FURTHER RESOLVED** that TWO certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services

ATTEST:

\_\_\_\_\_  
Jodi McKinney  
Township Clerk  
March 25, 2019

\_\_\_\_\_  
Joseph Vocke, Mayor

CLERK'S CERTIFICATE

I, Jodi McKinney, Clerk of the Township of Delaware hereby certify that the foregoing is a true and exact copy of the Resolution #2019-26 adopted at a meeting of said Governing Body of the Township of Delaware held on the 25th day of March 2019.

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk

Mrs. Lockwood motioned to open a discussion on Resolution #2019-26. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

**RESOLUTION 2019-27** –

**TOWNSHIP OF DELAWARE**  
**COUNTY OF HUNTERDON**  
**RESOLUTION #2019-27**

**WHEREAS**, the Township of Delaware desires to anticipate as an item of general revenue with prior written consent of the Director of Local Government Services in the amount of \$28,114.46 and

**THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Delaware that the prior written consent of the Director of Local Government Services be requested to include as an item of general revenue in the 2019 Budget under the following caption:

Reserve for Payment of Bonds

**BE IT FURTHER RESOLVED** that TWO certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services

ATTEST:

\_\_\_\_\_  
Jodi McKinney  
Township Clerk  
March 25, 2019

\_\_\_\_\_  
Joseph Vocke, Mayor

I, Jodi McKinney, Clerk of the Township of Delaware hereby certify that the foregoing is a true and exact copy of the Resolution #2019-27 adopted at a meeting of said Governing Body of the Township of Delaware held on the 25th day of March 2019.

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk

Mr. Herman motioned to open a discussion on Resolution #2019-27. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Mrs. McDaniel stated that this is the result of canceling money that was left over from the previous fire truck. Mrs. McDaniel stated that these funds go into a debt reserve and these funds can then be used toward the bond payment.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

**RESOLUTION 2019-28** –

**TOWNSHIP OF DELAWARE**  
**COUNTY OF HUNTERDON**  
**RESOLUTION #2019-28**

**WHEREAS**, the Township of Delaware desires to anticipate as an item of general revenue with prior written consent of the Director of Local Government Services in the amount of \$21,708.28 and

**THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Delaware that the prior written consent of the Director of Local Government Services be requested to include as an item of general revenue in the 2019 Budget under the following caption:

Clean Communities Grant – 2018 Reserve

**BE IT FURTHER RESOLVED** that TWO certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services

ATTEST:

\_\_\_\_\_  
Jodi McKinney  
Township Clerk  
March 25, 2019

\_\_\_\_\_  
Joseph Vocke, Mayor

I, Jodi McKinney, Clerk of the Township of Delaware hereby certify that the foregoing is a true and exact copy of the Resolution #2019-28 adopted at a meeting of said Governing Body of the Township of Delaware held on the 25th day of March 2019.

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk

Mrs. Lockwood motioned to open a discussion on Resolution #2019-28. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

**RESOLUTION 2019-29** –

**TOWNSHIP OF DELAWARE**  
**COUNTY OF HUNTERDON**  
**RESOLUTION #2019-29**

**WHEREAS**, the Township of Delaware desires to anticipate as an item of general revenue with prior written consent of the Director of Local Government Services in the amount of \$3,131.92 and

**THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Delaware that the prior written consent of the Director of Local Government Services be requested to include as an item of general revenue in the 2019 Budget under the following



caption:

Recycling Grant

**BE IT FURTHER RESOLVED** that TWO certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services

ATTEST:

\_\_\_\_\_  
Jodi McKinney  
Township Clerk  
March 25, 2019

\_\_\_\_\_  
Joseph Vocke, Mayor

I, Jodi McKinney, Clerk of the Township of Delaware hereby certify that the foregoing is a true and exact copy of the Resolution #2019-29 adopted at a meeting of said Governing Body of the Township of Delaware held on the 25th day of March 2019.

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk

Mrs. Lockwood motioned to open a discussion on Resolution #2019-29. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

**RESOLUTION 2019-30** –

**TOWNSHIP OF DELAWARE**  
**COUNTY OF HUNTERDON**  
**RESOLUTION #2019-30**

**WHEREAS**, the Township of Delaware desires to anticipate as an item of general revenue with prior written consent of the Director of Local Government Services in the amount of \$800.00 and

**THEREFORE, BE IT RESOLVED** by the Governing Body of the Township of Delaware that the prior written consent of the Director of Local Government Services be requested to include as an item of general revenue in the 2019 Budget under the following caption:

Holden Grant

**BE IT FURTHER RESOLVED** that TWO certified copies of this Resolution be forwarded to the Office of the Director of Local Government Services

ATTEST:

\_\_\_\_\_  
Jodi McKinney  
Township Clerk  
March 25, 2019

\_\_\_\_\_  
Joseph Vocke, Mayor

I, Jodi McKinney, Clerk of the Township of Delaware hereby certify that the foregoing is a true and exact copy of the Resolution #2019-30 adopted at a meeting of said Governing Body of the Township of Delaware held on the 25th day of March 2019.

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk

Mr. Herman motioned to open a discussion on Resolution #2019-30. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke

Nays - None  
Abstain – None

**RESOLUTION 2019-31** –

**DELAWARE TOWNSHIP**  
**RESOLUTION #2019-31**

Municipal Budget of the Township of Delaware, County of Hunterdon, NJ  
for the Fiscal Year 2019

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Delaware Township Municipal Budget for the year 2019.

BE IT FURTHER RESOLVED that said Budget be published in the Hunterdon County Democrat in the issue of April 11, 2019. The Township Committee of the Township of Delaware does hereby approve the following as the Budget for the year 2019.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays – None  
Absent –None

Notice is hereby given that the Budget and Tax Resolution was approved by the Township Committee of the Township of Delaware, County of Hunterdon on March 25, 2019.

A Hearing on the Budget and Tax Resolution will be held at the Delaware Township Municipal Building, 570 Rosemont Ringoes Rd. (County Rt. 604) in Sergeantsville, New Jersey on April 29, 2019 at 7:30 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2019 may be presented by tax payers or other interested persons.

**EXPLANATORY STATEMENT**

General Appropriations for:

1. Appropriations within “CAPS”	
(a) Municipal Purposes	\$3,714,191.41
2. Appropriations excluded from “CAPS”	
(a) Municipal Purposes	<u>\$ 616,807.19</u>
Total General Appropriations excluded from “CAPS”	\$4,330,998.60
3. Reserve for Uncollected Taxes Based on Estimated 97.99 percent of Tax Collections	<u>\$ 400,000.00</u>
4. Total General Appropriations	\$4,730,998.60
5. Less Anticipated Revenues Other than Current Property Tax	<u>\$1,329,998.60</u>
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget	
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	\$3,401,000.00

ATTEST:

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
Approved March 25, 2019  
Budget Published, April 18, 2019  
Budget Hearing April 29, 2019

\_\_\_\_\_  
Joseph Vocke, Mayor

**CERTIFICATION**

I HEREBY CERTIFY this to be a true and exact copy of Resolution #2019-31 approved by the Delaware Township Committee on March 25, 2019.

Jodi McKinney, RMC  
Township Clerk

Mr. Herman motioned to open a discussion on Resolution #2019-31. Mr. Kwasnik seconded the motion, and the members approved the motion by roll call vote.

Mrs. Lockwood reviewed line items of the budget that increased including legal cost for the Verizon appeal and the inclusion of money for tree removal as recommended by the Shade Tree Committee last year to address tree losses due to the Emerald ash borer. Mrs. Lockwood mentioned that the pipeline money has remained in the budget although at a lower level than last year. Mrs. Lockwood stated however, since no money has been spent, the line item should be sufficient.

Mr. Herman suggested that in 2020 the Township Committee consider increasing the funds for the emergency services since these funds have been the same for many years. Mr. Herman stated that last year the Township increased the taxes 2.5 cents on the average home of \$400,000.00 which increased Municipal taxes by \$88.00. Mr. Herman stated that in 2019 the Township will raise the taxes one cent on the average home of \$400,000.00 which raises Municipal taxes by \$40.00 per household. Mr. Herman stated that this is a solid budget and the Township will have enough funds to fulfill obligations and conduct road projects.

Mrs. McDaniel reported that the Township received an update from the Bond Rating Company on the townships ratings in October of 2018. In this report it was stated that the Township is just slightly below the surplus amount that is suggested.

Mrs. Lockwood commented that the Township currently has a good bond rating.

Mrs. McDaniel stated that the Township does but the Bond Rating Company can lower the Township's rating for various reasons including if the surplus balance goes too low.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

**RESOLUTION 2019-32 –**

**DELAWARE TOWNSHIP**  
**RESOLUTION #2019-32**

WHEREAS, the Township Committee of the Township of Delaware, Hunterdon County, New Jersey desires to amend Resolution #2019-19 that set 2019 salaries for all Township employees not covered under collective bargaining agreements.

NOW, THEREFORE, BE IT RESOLVED by the Delaware Township Committee that the 2019 annual salaries for the following Township employees retroactive to January 1, 2019 established as follows:

**POLICE**

Chief of Police	Phillip C. Cane	\$111,442.00
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**BUILDING DEPARTMENT**

Substitute Inspector		\$31.84 hourly
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ATTEST:

\_\_\_\_\_  
Jodi McKinney  
Township Clerk  
March 25, 2019

\_\_\_\_\_  
Joseph Vocke, Mayor

Mr. Herman motioned to open a discussion on Resolution #2019-32. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

**RESOLUTION 2019-33** –

**DELAWARE TOWNSHIP**  
**RESOLUTION 2019-33**

TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON, STATE OF NEW JERSEY  
FINAL APPROVAL OF A 40% COST SHARE FOR THE LEE/LAU PROPERTY, BLOCK 19,  
LOT 26.01

WHEREAS, there are certain properties within the Township of Delaware for which the owners of have filed an application to place their properties within the farmland preservation program; and

WHEREAS, the New Jersey State Agriculture Development Committee certified a market value (CMV) of \$5,500 per acre for a Development Easement on a property in the Township of Delaware (“Township”) known as Block 19 Lot 26.01, consisting of approximately 34 +/- acres, with one non-severable exception area totaling approximately 1 +/- acre, owned by Wai Kun Lee and Sau Kam Lau (“Property Owners”) which farm is contained in Delaware Township’s Municipal Planning Incentive Grant list of farms and for which the Property Owners made an individual application to the State Agriculture Development Committee pursuant to the State Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 *et seq.*, the Planning Incentive Grant Program, N.J.S.A. 4:1C-43.1 *et seq.*, and the regulations thereunder; and

WHEREAS, the application provided for the proposed acquisition of a Development Easement on the aforesaid Block 19, Lot 26.01; and

WHEREAS, the Township notified the Property Owners of the CMV and the landowner has accepted the offer of \$5,500 per acre for an approximate value of \$187,000; and

WHEREAS, the Hunterdon County Agriculture Development Board (CADB) did not approve the application or recommend funding from the Board of Chosen Freeholders; and

WHEREAS, the title to the easement of the development rights will be held by the SADC pursuant to N.J.A.C. 2:76-17A15(b) and, the Township will be responsible for all title and survey costs and, after closing eligible for a 50% reimbursement for appraisals, survey, and title, if sufficient funds are available; and

WHEREAS, the Township Committee of the Township of Delaware desires to accept this resolution to approve of said preservation and to agree to a 40% cost share with the SADC for the purchase of a farmland preservation easement on an approximately 34 +/- acre portion of Block 19, Lot 26.01; and

WHEREAS, the estimated cost sharing breakdown for the acquisition of the development easement is as follows (based on 34 +/- net acres), subject to the actual acreage to be covered by the Development Easement per the final survey which conforms to the farmland program requirements:

State Agriculture Development Committee  
(\$3,650 per acre \$3,400 + 50% of CMV over \$5,000; estimated total: \$124,100)

Township of Delaware  
(\$1,850 per acre, estimated total: \$62,900); and

WHEREAS, the Owners, the Township, and the SADC will need to enter into a 3-party agreement of sale for the purchase of the development easement after SADC final approval; and

WHEREAS, the Delaware Township Mayor is authorized to sign the agreement of sale for the Township.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Delaware, County of Hunterdon, State of New Jersey, as follows:

1. The Township of Delaware gives final approval to the proposed acquisition of a Development Easement to be held by the State of New Jersey on the Lee/Lau Farm, Block 19 Lot 26.01 in the Township of Delaware, County of Hunterdon, State of New Jersey on approximately 34 +/- acres pursuant to the Municipal Planning Incentive Grant program and application made by the Property Owners subject to the following conditions of conveyance of the easement:
  1. No non-agriculture uses;
  2. No Residual Dwelling Site Opportunities
  3. The NJ State Agriculture Development Committee shall be the holder of the Easement.
2. A copy of this resolution shall be forwarded to the New Jersey SADC for its information and records.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

ATTEST:

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
March 25, 2019

\_\_\_\_\_  
Joseph Vocke, Mayor

I, Jodi McKinney, RMC do hereby certify that the foregoing is a true copy of a resolution #2019-33 was adopted March 25, 2019.

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk

Mrs. Lockwood motioned to open a discussion on Resolution #2019-33. Mr. Herman seconded the motion, and the members approved the motion by roll call vote.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

**ENVIRONMENTAL COMMISSION RECOMMENDATION FOR A REVIEW OF THE CONSERVATION EASEMENTS RELATED TO THE MEADOW VIEW SUBDIVISION-SEVERN'S WAY SUBDIVISION AND AUTHORIZATION FOR ATTORNEY TO REVIEW**

Mr. Waltman recused himself from the discussion.

Mrs. Lockwood stated the Environmental Commission was assigned to monitor the easement on the Meadow View Subdivision. Mrs. Lockwood stated that the Environmental Commission received information that some of the homeowners were violating the easement areas. Mrs. Lockwood stated that the Environmental Commission researched and discovered that some of the easements were being violated.

Ms. Klink stated that the last email that we received from the Township Engineer states that the Homeowners Association holds the easements on this development.

Mrs. Lockwood stated that the last parcel in the development is being developed and has the largest portion of the easement. Mrs. Lockwood stated that the violation of easements has not been resolved and there is concern that this issue needs to be resolved before the last parcel is developed and sold.

Mr. Herman asked if the easement was placed in the deeds.

Ms. Klink stated that it appears that some of the easements were not recorded correctly in the deeds. Ms. Klink stated that the Environmental Commission would like this last parcel with the most easement clearly marked in the deed. Ms. Klink stated that the next step would be to have the Township Attorney review the deed for the last parcel and make sure the easement restrictions are noted.

Mr. Herman asked if the language already exists in reference to the easement and if there is a deed currently on file for this last parcel.

Ms. Klink will discuss this with the Tax Assessor and report back if there is a current deed for this last parcel. Ms. Klink stated that the easements on this last parcel are listed on the Delaware Township tax maps. Ms. Klink will create a summary of these findings for review at the next Township Committee meeting on April 8, 2019.

Mr. Herman stated that since the Homeowners Association is not up and running the builder should be notified of the restrictions on the easements in the deed so that the builder can disclose this at the time of the sale of the last parcel.

**AUTHORIZE THE ACCEPTANCE OF THE RESIGNATION OF OLIVIA BARRICK AS OF MARCH 26, 2019 AS THE VIOLATIONS CLERK OF THE EAST AMWELL JOINT MUNICIPAL CLERK**

Mr. Herman motioned to authorize the acceptance of the resignation of Olivia Barrick, Violation Clerk for the East Amwell Joint Court. Mrs. Lockwood seconded the motion, and the members unanimously approved the motion by all in favor vote.

**AUTHORIZATION OF THE SHARED SERVICE AGREEMENT WITH DELAWARE TOWNSHIP SCHOOL**

Mrs. Lockwood motioned to authorize the signing of the Shared Service agreement with Delaware Township School District for January 1, 2019 through December 31, 2019. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Mrs. Lockwood stated that the concern with the Pedestrian Safety Committee expressed a concern regarding whether the new sidewalk plan will need to be included in the shared service agreement.

Mrs. McKinney stated that the Delaware Township School District has requested that this Shared Service Agreement only be for the 2019 year and that this can be addressed at the next renewal if the new sidewalks are in place at that time.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

**AUTHORIZATION OF EUNICE BENCH AND DEB KLINE TO THE OPEN SPACE COMMITTEE AS AT-LARGE MEMBERS**

Mr. Herman motioned to accept the Open Space Committee recommendations to authorize Eunice Bench and Deb Kline as At-Large Members of the Open Space Committee. Mrs. Lockwood seconded the motion, and the members unanimously approved the motion by all in favor vote.

**REVIEW OF MEETING DATES**

The Township Committee reviewed the meeting dates.

**MEETING OPEN TO THE PUBLIC**

Mr. Richard McComber asked if copies of the budget will be available for the public.

Mrs. McKinney stated that the budget will be posted on the website and hard copies will be available to the public.

Mr. Chuck Cline stated that Cellco has submitted their written arguments and Delaware Township was granted a two-week extension and will be filing their written arguments on Friday, March 29, 2019.

Mr. Cline asked how many body armors does the Delaware Township body armor grant cover and is more funding needed?

Mayor Vocke stated that a few are purchased and replaced each year. Mayor Vocke stated that this resolution is approved yearly.

Mr. Cline asked if all Delaware Township Police officers are currently wearing body cameras and are there still any needs for funding of these cameras?

Mrs. Lockwood stated that she will ask the Chief of Police and report back to the Township Committee.

Ms. Klink reported a vacancy for an advisory position on the Planning Board. Ms. Klink reported that the Towpath Trek was on Saturday and 39 people participated. Ms. Klink stated that the group picked up 44 bags of trash, 49 bags of recycling and 5 tires. Ms. Klink thanked everyone for the support.

#### **FINAL COMMENTS OF THE TOWNSHIP COMMITTEE**

Mr. Herman asked for a speed study to be done on Delaware Drive to assess the 50 mph speed limit.

Mr. Herman asked to have an email sent to Attorney Dragan to receive an estimate on any work that will take more than an hour.

Mrs. McKinney will send her an email clarifying that Attorney Dragan must contact Mayor Vocke or Mrs. McKinney for approval of any work that will take more than one hour.

#### **APPROVAL OF BILL LIST**

Members reviewed and approved the following vouchers for payment for \$23,803.44 at the Regular Meeting of the Delaware Township Committee meeting held on March 25, 2019. Mr. Herman motioned to approve payment of the bills on the bill list. Mr. Waltman seconded the motion. Members approved the motion to pay the bills by roll call vote.

BE IT RESOLVED by the Township Committee of the Township of Delaware, County of Hunterdon, and State of New Jersey that the March 25, 2019 vouchers be paid.

Roll Call Vote: Ayes –Kwasnik, Waltman, Lockwood, Herman, Vocke  
Nays - None  
Abstain – None

#### **ADJOURNMENT**

Members motioned, seconded, and members unanimously approved a motion to adjourn the meeting at 9:07 p.m.

Respectfully submitted,

Jodi McKinney, RMC  
Township Clerk

Approved: (April 8, 2019)

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Joseph Vocke, Mayor