



**DELAWARE TOWNSHIP**  
**COMMITTEE MINUTES**  
**April 29, 2019 – 7:30 P.M.**

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Deputy Mayor Charles Herman called the regular meeting of the Delaware Township Committee to order on April 29, 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**

Deputy Mayor Herman 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 call in for Budget votes.

Absent: Joseph Vocke (called in for Budget voting at 7:50 p.m.)

**APPROVAL OF MINUTES FROM APRIL 8, 2019 TOWNSHIP COMMITTEE MEETING**

Mr. Waltman motioned to approve the minutes from the April 8, 2019 Township Committee Meeting. Mrs. Lockwood seconded the motion.

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

**TOWNSHIP COMMITTEE REPORTS**

**Joint Court**

Mr. Waltman stated that three candidates were interviewed for the Municipal Violations Clerk position and there has been one candidate chosen and who has accepted the position. They will begin the position on May 14, 2019. Mr. Waltman stated that a resolution to hire the candidate will be on the next Township Committee meeting agenda.

**Shade Tree Commission**

Mrs. Lockwood stated the Shade Tree Commission members reassessed the tree removal and reviewed the trees that were identified as the most dangerous at Dilt's Park. Those trees have been removed at Dilt's park and the second phase of tree removal will need to be completed.

The Township Committee discussed the removal of the Ash trees and how to best resolve the continuing concerns relating to the danger they may pose.

**DPW**

Mr. Kwasnik stated Locktown Sergeantsville Road was repaired with gravel in the trench area to help with the wash out.

Mr. Herman attended the State road meeting and the State was discussing future road and bridge construction that will be completed in two to three years.

Mr. Herman stated that the bid request has gone out for Zentek Road drainage and the bids will be submitted on May 7, 2019.

Mr. Herman stated that the Township is waiting to hear back from the Morris County Co-op on the prices for asphalt.

Mr. Herman stated the Township is in the process of amending its bonds for Sanford Road, Whiskey Lane, Boars Head Road and phase three of Meszaros Road. Mr. Herman stated these roads are expected to go out for bid in May and hopefully the award of these bids will take place in June.

Mr. Herman stated Mr. Roseberry is currently working on a grant application for Lower Ferry Road.

Mr. Herman stated that we need a new sign for identifying Dilt's Park and one to replace the current one at the Municipal Building.

### **Finance**

Mr. Herman stated the Bond Anticipation notes are due in July and Ms. McDaniel will be working on the sale of these notes for the week of July 8, 2019.

### **Pedestrian Safety Committee**

Mr. Herman stated the township requested a 6-month extension from the State on the sidewalk project.

### **Energy Aggregation Program**

Mrs. Lockwood stated a meeting with the Energy Aggregation committee was conducted and a discussion of outreach to the residents was discussed.

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

Mr. Larry Wohl presented a photograph of the drainage issue on Zentek Road after a rain, depicting the run off coming from a local improved property that is having storm water issues that drains onto Zentek Road and Mr. Wohl's property.

### **ORDINANCE 2019-03- SECOND 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.

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Joseph Vocke, Mayor

ATTEST:

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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.

Mrs. Lockwood motioned to open the public hearing on Ordinance #2019-03 to the public, Mr. Waltman seconded the motion, and the members unanimously approved the motion by all in favor vote.

Seeing no commenters. Mrs. Lockwood motioned to close the public hearing on Ordinance #2019-03 to the public, Mr. Waltman seconded the motion, and the members unanimously approved the motion by all in favor vote.

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

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

**ORDINANCE 2019-04** SECOND READING

**DELAWARE TOWNSHIP**  
**ORDINANCE NO. 2019-04**

**AN ORDINANCE OF THE TOWNSHIP DELAWARE, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE ESTABLISHMENT AN ELECTRIC AGGREGATION PROGRAM**

**WHEREAS**, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric utility market; and

**WHEREAS**, the establishment of a government aggregator and an energy aggregation program to purchase electric generation service pursuant to **N.J.S.A. 48:3-93.1 et seq.** and **N.J.A.C. 14:4-6.1 et seq.** will increase competition for the provision of electric power to residential and non-residential users, thereby increasing the likelihood of lower electric rates for these users without causing any interruption in service; and

**WHEREAS**, the Township is interested in ensuring that a greater percentage of energy provided by the Program comes from renewable energy sources, and will therefore include provisions for the inclusion of renewable energy in the proposals for energy aggregation services; and

**WHEREAS**, the purchase of renewable energy will reduce the dependence on fossil fuels and under the aggregation process the residential and non-residential ratepayers will likely receive a direct reduction in their electric bills; and

**WHEREAS**, the realization of energy cost savings is in the interests of the health, safety and welfare of the residents and non-residents of the Township of Delaware (“Township”); and

**WHEREAS**, the Township hereby finds that it is in the best interests of residential and non-residential ratepayers for the Township to create the opportunity for them to enter into an aggregation agreement in order to seek substantial savings on electric rates.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of Delaware in the County of Hunterdon and the State of New Jersey, duly assembled in public session, as follows:

1. The Township publicly declares its intent to become an aggregator of electric power on behalf of its residential users of electricity pursuant to the Government Energy Act of 2003, **N.J.S.A. 48:3-91.3 to -98**, and implementing regulations.
2. The Township will utilize approved vendors, Commercial Utility Consultants, Inc. and its subcontractor Concord Engineering Group dba Concord Energy Services pursuant to the NJ E-PROCUREMENT Pilot program (P.L. 2001, c.30) under the NJ Department of Community Affairs. The Reverse Energy auction will seek bids from licensed and appropriate third party suppliers. If such winning bid is selected and agreement executed, individual residential consumers would retain the option not to participate and to choose any alternatives they desire.
3. The Mayor and Municipal Clerk are hereby authorized and directed to execute any documents necessary to carry out the purpose of the Ordinance.
4. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
5. If any portion of this ordinance shall be deemed invalid by any court of competent jurisdiction, the remainder shall survive in full force and effect.
6. This ordinance shall be effective immediately upon adoption and publication in accordance with law.

ATTEST:

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Jodi McKinney, RMC  
Township Clerk

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held on April 8, 2019. It will be considered on second reading for final adoption at a regular meeting to be held on April 29, 2019 beginning at 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.

Mrs. Lockwood motioned to open the public hearing on Ordinance #2019-04 to the public, Mr. Waltman seconded the motion, and the members unanimously approved the motion by all in favor vote.

Ms. Stacia Scaduto, Community Energy Aggregation, was present to clarify the bid process for lower electrical generation rates and answered any public and Township Committee member's questions. There were some questions relating to the amount of the renewable energy component of electricity for which bids will be requested. Ms. Scaduto said that the final decision on that amount would be based on a discussion among all members of the Co-op and an assessment of what the energy market is doing at the time of bidding. However, all discussions thus far have indicated that bids would be requested at several levels to give the townships, on behalf of their residents, more options from which to choose. In response to another question, Ms. Scaduto reiterated that JCP&L does not generate its own energy nor does it make a profit from energy generation. Therefore, switching to a different electrical generating company that offers a lower price for energy generation would not affect JCP&L's finances, their ability to deliver electricity, or to maintain their infrastructure for Township residents.

Mrs. Lockwood motioned to close the public hearing on Ordinance #2019-04 to the public, Mr. Waltman seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mrs. Lockwood motioned to approve Ordinance #2019-04 on second reading, and Mr. Waltman seconded the motion for second reading by roll call vote.

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

**RESOLUTION 2019-39** –

**DELAWARE TOWNSHIP**  
**RESOLUTION #2019-39**

WHEREAS, the Township Committee of the Township of Delaware in the County of Hunterdon and State of New Jersey desires to adopt the 2019 annual Delaware Township Municipal Budget; and

WHEREAS, the public hearing is scheduled for April 22, 2019 at which meeting the Delaware Township Committee desires to read the proposed 2019 budget by title only; and

WHEREAS, a summary of the budget introduced by the Township Committee on March 25, 2019 was properly advertised in the Hunterdon County Democrat on April 18, 2019; and

WHEREAS, a complete copy of the proposed budget has been posted in the Delaware Township Municipal Building since March 25, 2019, a copy was posted on the Delaware Township website, and a copy was made available to each person requesting the same during this period and during the public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delaware, County of Hunterdon and State of New Jersey that the proposed 2019 Delaware Township Municipal Budget be read by title only and that the conditions set forth in the law have been met.

ATTEST:

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
April 29, 2019

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

Mrs. Lockwood motioned to open a discussion on Resolution #2019-39. 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

**PROPOSED 2019 TOWNSHIP BUDGET**

Mrs. Lockwood motioned to open the Public Hearing of the proposed 2019 Township Budget. Mr. Kwasnik 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. Colantano, Township Auditor, stated that the 2019 budget is a solid budget and the Township is making great progress in building the surplus and is currently in good standing with the Bond Agency. Mr. Colantano stated that this budget has been created with a one cent increase which will come to about \$40.00 per an average \$400,000.00 house.

Members of the public asked general budget questions and Mr. Colantano clarified the process of creating the current budget.

Mrs. Lockwood motioned to close the Public Hearing of the proposed 2019 Township Budget. Mr. Waltman seconded the motion, and the members unanimously approved the motion by all in favor vote.

**RESOLUTION 2019-40** –

**DELAWARE TOWNSHIP**  
**RESOLUTION #2019-40**

BE IT RESOLVED by the Township of Delaware, County of Hunterdon and State of New Jersey that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$3,401,000.00 (Item 2 below) for Municipal Purposes
- (d) \$ 480,000.00 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy

|                                    |    |            |
|------------------------------------|----|------------|
| 1. GENERAL REVENUES                |    |            |
| Surplus Anticipated                | \$ | 357,000.00 |
| Miscellaneous Revenues Anticipated |    | 727,795.65 |
| Receipts from Delinquent Taxes     |    | 245,202.95 |

|  |                     |
|--|---------------------|
| 2. AMOUNT TO BE RAISED BY TAXATION<br>FOR MUNICIPAL PURPOSES   | 3,401,000.00        |
| <br>TOTAL REVENUES   | <br>\$ 4,730,998.60 |
| 5. GENERAL APPROPRIATIONS:                                     |                     |
| Within "CAPS"  |                     |
| (a & b) Operations Including Contingent                        | \$ 3,267,024.75     |
| (e) Deferred Charges and Statutory<br>Expenditures - Municipal | <br>447,166.66      |
| <br>Excluded from "CAPS"                                       |                     |
| (a) Operations - Total Operations Excluded<br>from "CAPS"      | <br>65,277.19       |
| (c) Capital Improvements                                       | 249,520.00          |
| (d) Municipal Debt Service                                     | 302,010.00          |
| (e) Deferred Charges – Municipal                               | 0                   |
| <br>(m) Reserve for Uncollected Taxes                          | <br>400,000.00      |
| <br>TOTAL APPROPRIATIONS                                       | <br>\$ 4,730,998.60 |

ATTEST:

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
April 29, 2019

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

CERTIFICATION

I CERTIFY THIS to be a true copy of Resolution #2019-40 approved by the Delaware Township Committee on April 29, 2019.

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

Vote recorded as follows:

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

Mrs. Lockwood motioned to open a discussion on Resolution #2019-40. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Mr. Herman stated Ms. McDaniel, the Finance Committee and other members of the Township Committee along with Department heads worked together for the last couple of months to create a solid 2019 budget. Mr. Herman stated that while the increase was limited to only one cent, it increases the ability to complete road projects, repairs at Dilts Park and to rebuild the surplus for a better bond rating, which is a great accomplishment in the 2019 Township Budget.

Mr. Waltman stated that this is a small increase but if this is done for the next ten years it would make a significant increase on the average home. Mr. Waltman’s concern is that Delaware Township does not become too expensive for the residents to live in. Mr. Waltman stated that if the Township reduced the proposed budget by \$80,000.00 there would not be a need to increase the taxes.

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

**DELAWARE TOWNSHIP**  
**RESOLUTION #2019-41**

SELF-EXAMINATION OF BUDGET RESOLUTION  
*[as required by DCA]*

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Delaware has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2019 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Delaware that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

ATTEST:

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



Jodi McKinney, RMC  
Township Clerk  
April 29, 2019

It is hereby certified that the Approved Budget complies with the requirements of the law and approval is given pursuant to N.J.S.A.40A:4-78(b) and NJAC 5:30-7.

It is further certified that the municipality has met the eligibility requirements of NJAC 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with NJAC 5:30-7.6.

Dated: April 29, 2019

\_\_\_\_\_  
Diane McDaniel, CFO  
Chief Financial Officer

Approved:

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

Mrs. Lockwood motioned to open a discussion on Resolution #2019-41. 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 2019-42** –

**DELAWARE TOWNSHIP**  
**RESOLUTION #2019-42**

**AWARD OF LEASE AGREEMENT CONTRACT TO RICOH USA FOR ONE (1) RICOH COPIER IN THE TOWN HALL IN THE AMOUNT OF \$230.32 PER MONTH FOR 48 MONTHS AND ONE (1) IN THE POLICE DEPARTMENT IN THE AMOUNT OF \$299.85 PER MONTH FOR 48 MONTHS (UNDER STATE CONTRACT G2075 - #40467)**

**WHEREAS**, the Town Hall and Police Department’s copier contract has expired and there is a need to enter into a new contract; and

**WHEREAS**, the Township has received a proposal from Ricoh USA in West Caldwell, NJ;

**WHEREAS**, the Delaware Township is entering into a new contract with Ricoh USA from West Caldwell, NJ for the Town Hall in the amount of \$230.32 per month for 48 months and one (1) for the Police Department in the amount of \$299.85 per month for 48 months (under state contract G2075 - #40467); and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Delaware, County of Hunterdon, State of New Jersey that the lease agreements shall be awarded to Ricoh USA from Caldwell, New Jersey for one (1) Ricoh copier located in the Town Hall in the amount of \$230.32 per month for 48 months and one (1) in the Police Department in the amount of \$299.85 per month for 48 months (under state contract G2075 - #40467) and subject to be availability of funds.

ATTEST:

\_\_\_\_\_

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

Jodi McKinney, RMC  
Township Clerk  
April 29, 2019

Mrs. Lockwood motioned to open a discussion on Resolution #2019-42. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

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

**RESOLUTION 2019-43** –

**DELAWARE TOWNSHIP**  
**RESOLUTION 2019-43**

TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON, STATE OF NEW JERSEY  
APPROVAL OF GRANT APPLICATION SUBMITTED TO HUNTERDON COUNTY FOR  
MUNICIPAL ALLOCATION FUNDS

**WHEREAS:** The Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide County Funds in connection with preserving open space, natural areas, farmland and historic sites; to acquire, develop, improve and maintain county and municipal lands for recreation and conservation purposes; and preservation of historic structures, properties, facilities, sites, areas, or objects; or for the payment of debt service or indebtedness issued or incurred by the municipality for any of the purposes described above; and

WHEREAS, the Township of Delaware desires to further the public interest by obtaining funding in the amount of \$134,041.63 from the County of Hunterdon to fund the following project: This request is for the payment of the Township’s debt payment obligation. The payment amount for 2019 Open Space Principal debt will be \$312,000. We would like to apply the municipal allocation of the County Open Space Tax to this debt payment;

**NOW, THEREFORE,** the governing body resolves that Mayor Joseph Vocke is hereby authorized to:

- (a) make application for such County Open Space Trust Funds,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named Municipality; and

WHEREAS, the County of Hunterdon shall determine if the application is complete and in conformance with the scope and intent of the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan, applicable Freeholder Board Policies and the Procedures Manual for the Municipal Grant Program adopted thereto, and notify the Municipality of the amount of the funding award; and

WHEREAS, the Municipality is willing to use the County funds in accordance with such adopted Policies and Procedures, and applicable state and local government rules, regulations and statutes;

**NOW, THEREFORE, BE IT FURTHER RESOLVED, BY THE DELAWARE TOWNSHIP COMMITTEE**

1. That the Mayor of the above named Municipality is hereby authorized to execute any documents and agreements with the County of Hunterdon known as Payment of Debt;

2. That the Municipality has its share of funds, if required, in the amount of \$134,041.63;
3. That, in the event the County of Hunterdon's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

ATTEST:

\_\_\_\_\_  
 Jodi McKinney, RMC  
 Township Clerk  
 April 29, 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 #2019-43 adopted at a meeting of said Governing Body of the Township of Delaware held on the 29th day of April 2019.

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

Mrs. Lockwood motioned to approve Resolution #2019-43. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Mrs. Lockwood stated that the Township receives a portion of the County open space money annually. The Township can, and has, let that money accrue for a few years. Often the money is used to pay small, incidental costs like those for appraisals or surveys on specific parcels of land that are undergoing preservation. This year, the Open Space Committee voted to use that money to pay down some of the open space bond debt, since that is an allowable use of the County funds.

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

**RESOLUTION 2019-44** –

**TOWNSHIP OF DELAWARE**  
**RESOLUTION NO. 2019-44**

**RESOLUTION OF THE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF DELAWARE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE SIGNING OF GOVERNMENT ENERGY AGGREGATION PROGRAM AGREEMENTS**

**WHEREAS**, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric and natural gas utility markets; and

**WHEREAS**, the establishment of a governmental energy aggregation program ("GEA Program") to purchase electric generation service and natural gas pursuant to the Government Energy Act of 2003, *N.J.S.A. 48:3-93.1 et seq.* ("Act") and the New Jersey Board of Public Utilities' implementing rules at *N.J.A.C. 14:4-6.1 et seq.* ("Rules") will increase competition for the provision of electric power and natural gas to residential and non-residential electricity and gas ratepayers, thereby increasing the likelihood of lower electric rates and natural gas rates for these users without causing an interruption in service; and

**WHEREAS**, under a GEA Program the residential ratepayers may have the opportunity to receive a direct reduction in their electric bills through the bulk purchase of energy from a third-party energy supplier; and

**WHEREAS**, pursuant to Ordinance # 2019-04 adopted by the Township Committee on April 29, 2019 the Township publicly declared its intent to commence a GEA Program by participating in the Delaware River Regional Renewable Energy Cooperative (DRREC); and

**WHEREAS**, the Township of Hopewell is the Lead Agency for the DRREC program and shall accept or reject pricing on behalf of the Cooperative and its participant members; and

**WHEREAS**, the Township, as a participating member of the DRREC program hereby agrees to proceed with the program, by signing the Supplier Agreement, should the Township of Hopewell accept pricing, which provides a savings on the supply portion of the electric bill for the residential energy aggregation program; and

**WHEREAS**, the Township of Hopewell appointed Concord Engineering dba Concord Energy Services (CES) and Commercial Utility Consultants, Inc. (CUC) for the DRREC to serve as the Energy Agents to assist and administer the GEA program at no cost to the Township of Hopewell or DRREC or its participating members; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Delaware, in the County of Hunterdon, New Jersey, duly assembled in public session, as follows:

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

1. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.
2. The Township of Delaware as a participating member of the DRREC program hereby agrees to proceed with the program, by signing the Supplier Agreement, should the Township of Hopewell accept pricing, which provides a reduction on the supply portion of the electric bill for the residential energy aggregation program;
3. The Mayor, Chief Financial Officer, Treasurer or other municipal officer is hereby authorized and directed to execute, on behalf of the Township of Delaware any documents necessary to carry out the purpose of this Resolution including the Supplier Services Agreement providing a reduction is achieved at the time of auction.

ATTEST:

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
April 29, 2019

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

#### **CERTIFICATION**

I, Jodi McKinney, Township Clerk of the Township of Delaware, County of Hunterdon, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Township Committee on April 29, 2019.

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

Mrs. Lockwood motioned to move Resolution #2019-44. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

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

**RESOLUTION 2019-45** –

**DELAWARE TOWNSHIP**  
**RESOLUTION #2019-45**

Supports Application to ANJEC – Open Space Stewardship  
2019 Delaware Township School Meadow Trail

WHEREAS, Delaware Township acquired Block 39, Lot 24.07 with 8.51 acres in 2012 for general municipal purposes; and

WHEREAS, this property is located adjacent to Block 39, Lot 20 with 25.62 acres in the Village of Sergeantsville, Delaware Township, New Jersey owned by the Delaware Township Board of Education and utilized for educational purposes at Delaware Township School, Grades Kindergarten through Eight; and

WHEREAS, the Delaware Township Environmental Commission in coordination with Delaware Township School began a review of this property with multiple goals, including:

- Advancing local open space stewardship through greenways and trail building;
- Educating students about the importance of natural habitat protection and preservation;
- Enhancing habitat for pollinators and wildlife;
- Raising the profile of the Environmental Commission in connection with this open space project;
- Raising awareness of storm water management and restoration of a wetlands area within open space lands;
- Educating residents, including students, about the importance of storm water management by creating an educational display;
- Promoting openness and cooperation between Delaware Township governmental operations and Delaware Township School educational objectives;
- Engaging residents to become involved with management of open space.

WHEREAS, the Delaware Township Environmental Commission explored in detail the concept of creating a Meadow Trail that would establish appropriate plantings to support habitat and protect an area of wetlands on the property; and

WHEREAS, the Delaware Township Environmental Commission proposes to phase construction of this trail over a period of years and requests grant funding from ANJEC for this first phase; and

WHEREAS, the Delaware Township Environmental Commission desires to further this public interest by obtaining a grant from the Association of New Jersey Environmental Commission in the amount of \$1,500.00 to help fund the following project to be titled:

**2019 School Meadow Trail – Open Space Stewardship**

WHEREAS, the Delaware Township Environmental Commission with the Township’s Shade Tree commission have applied for and have been approved to receive free trees from the New Jersey Tree Foundation to initiate this project;

WHEREAS, the Delaware township Environmental Commission has received the Holden grant in the amount of \$800.00 from the Washington Crossing Audubon Society for the specific purpose of supplementing the habitat with native plants for pollinators;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delaware, County of Hunterdon and State of New Jersey that it hereby authorizes and supports the grant application by the Delaware Township Environmental Commission to ANJEC for the 2019 School Meadow Trail for Delaware Township in the amount of \$1,500.00.

BE IT FURTHER RESOLVED that the Delaware Township Committee authorizes and hereby agrees to support the Environmental Commission's grant application to ANJEC with participation by Commission members, Delaware Township student groups, Delaware Township School, and neighboring residents to provide and track eighty hours of community labor toward this project.

The Grantee agrees to comply with all applicable federal, State and municipal laws, rules, and regulations in its performance pursuant to the agreement.

ATTEST:

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
April 29, 2019

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

**CERTIFICATION**

I, Jodi McKinney, Township Clerk of the Township of Delaware, certify that this resolution was duly adopted by the Delaware Township Committee at a meeting duly held on April 29, 2019 and that this this Resolution has not been amended or repealed; and that it remains in full force and effect on the date I have subscribed my signature.

\_\_\_\_\_  
Jodi McKinney  
Township Clerk

Mrs. Lockwood motioned to open a discussion on Resolution #2019-45. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

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

**AUTHORIZATION FOR SPECIAL EVENT APPLICATION FOR NATIONAL PSORIASIS FOUNDATION BICYCLE RACE ON MAY 11, 2019.**

Mrs. Lockwood motioned to authorize the Special Event Application for National Psoriasis Foundation Bicycle Race May 11, 2019. Mr. Waltman 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. Tim Drew stated the conditions of the trail at Dilts Park have not been addressed and he stated that the field that needed reseeding has either not been done or the seeding did not take. Mr. Drew stated that there are repairs needed for the restrooms and concession stand.

Mr. Herman stated that DPW has reported completing the seeding and aeration of the field. Mr. Herman will report back to the DPW that the field will need more maintenance. Mr. Herman stated the DPW is currently advertising for two part-time seasonal employees and one of these Seasonal employees would be assigned to the maintenance at Dilts Park.

Mr. Roger Byrom, Zentek Road, presented a letter to the Township Committee regarding the addition of a swale system for the Zentek Road water drainage project to replace the Township Engineer's drainage recommendations. Mr. Byrom, Mr. Jeff Barnes and Mr. Joe Wiley stated their support for the swale system for Zentek Road and their opinion on the cost savings between

the swale system over the Township Engineer's specification that is currently advertised in the bid specifications.

Mr. Herman stated the Township Committee has discussed the engineering recommendations during many 2018 Township Committee meetings and the Township Committee members have discussed in detail the many ideas the residents on Zentek Road have presented. Mr. Herman stated the Township Committee has had the Township Engineer design various options. Mr. Herman stated the Township Engineer has recommended the current bid specifications design for the drainage of Zentek Road multiple times. Mr. Herman stated Zentek Road water drainage issues have been discussed for the last four years. The DPW has made drainage changes that have not resolved the issue, therefore the residents have been in front of the Township Committee giving suggestions to the Township Committee for a good part of last year. Mr. Herman stated the engineering costs for the design of this project have been costly because the Township reviewed and asked the Engineer to consider the various resident suggestions. Mr. Herman stated the Township Committee made a decision that will be the most economical for all tax payers of the Township and provide a long term solution to the maintenance issues for Zentek Road. Mr. Herman stated the Township Committee will need to trust the Township professionals and the Township has advertised the bid for the drainage project on Zentek Road and the bids are due by May 7, 2019 at 10:00 a.m.

In response to Mr. Barnes suggestion that the Township Engineer's professional response to this problem was dictated by the Township Committee, Mr. Waltman stated the Township Committee members have not been guiding the Township Engineer on what the drainage design should be for the Zentek Road project. Mr. Waltman stated the Township Engineer has highly recommended the current advertised bid specifications and the Township Committee will need to go with the Township Engineer's recommendations for this project.

Mr. Chuck Cline stated the 2019 budget is very strong and that he is glad to see the surplus is being built up and services are now being restored and provided to the Township residents.

Ms. Klink stated she met with Chief Cane to discuss moving the Shredder Day scheduled in May to the Municipal parking lot to draw attention to the Farmers Market. Ms. Klink stated signage will be in place to help with traffic control.

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

Mr. Waltman stated he would like to thank Ms., McDaniel and the Department heads that worked on the 2019 Township Budget. Mr. Waltman stated it was a great experience to get to work with the Finance Committee on this project.

Mrs. Lockwood stated that the question regarding whether the Township would like to join the County Energy Aggregation program for the Municipalities to reduce their energy cost will be added to the next Township Committee agenda.

Mr. Herman stated that DTMUA terms expire differently than the other Municipal Committee terms. Mr. Herman stated his DTMUA term and the DTMUA Chairperson term expired as of January 31, 2019 and Mr. Sterbinsky has asked for clarification on if the Township Committee is reappointing these two positions for 2019. Mr. Herman asked the Township Committee members if they have any objections to the 2019 reappointment for these two positions.

The Township Committee members have no objection to the DTMUA's two reappointments for 2019.

### **APPROVAL OF BILL LIST**

Members reviewed and approved the following vouchers for payment for \$1,073,215.52 at the Regular Meeting of the Delaware Township Committee meeting held on April 29, 2019. Mrs.

Lockwood 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 April 29, 2019 vouchers be paid.

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

**EXECUTIVE SESSION** –

**RESOLUTION AUTHORIZING CLOSED SESSION**  
**DELAWARE TOWNSHIP COMMITTEE**

**BE IT RESOLVED** by the Township Committee of the Township of Delaware in Hunterdon County, New Jersey follows:

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.

2. The general nature of the subjects to be discussed in this session is as follows:

• **GENERAL PERSONNEL DISCUSSION**

1. It is unknown precisely when, if ever, the matters discussed in this session may be disclosed to the public; and matters involving personnel evaluations may not ever be released. Approval of any agreement with any bargaining unit shall only take place by action of the governing body in a public session.

ATTEST:

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Jodi McKinney  
Township Clerk  
April 29, 2019

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

Mr. Waltman motioned to approve the foregoing resolution. Mr. Kwasnik seconded the motion, and members unanimously approved the resolution by all in favor vote.

**RETURN TO OPEN SESSION**

Deputy Mayor Herman announced that all items in executive shall remain in Executive Session.

Mr. Waltman motioned to return to open session. Mrs. Lockwood seconded the motion, and members unanimously approved the motion by all in favor vote.

**ACTION TAKEN FROM EXECUTIVE SESSION, IF ANY**

No action was taken

**ADJOURNMENT**

Members motioned, seconded, and members unanimously approved a motion to adjourn the meeting at 9:34 p.m.

Respectfully submitted,



Jodi McKinney, RMC  
Township Clerk

Approved: (April 29, 2019)

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Joseph Vocke, Mayor