



**DELAWARE TOWNSHIP**  
**COMMITTEE MINUTES**  
**August 12, 2019 – 7:30 P.M.**

---

Mayor Joseph Vocke called the regular meeting of the Delaware Township Committee to order on August 12, 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, Joe Vocke  
Absent: None

**APPROVAL OF MINUTES FROM JULY 15, 2019 TOWNSHIP COMMITTEE MEETING**

Mrs. Lockwood motioned to approve the minutes from the July 15, 2019 Township Committee Meeting. Mr. Herman seconded the motion.

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

**TOWNSHIP COMMITTEE REPORTS**

**DPW**

Mr. Kwasnik reported that the DPW has been waiting for the equipment from Kingwood Township for the tar and chip projects and Kingwood will be completing their roads this week. Mr. Kwasnik stated the Delaware Township tar and chip road projects will start next week.

\*\*The tar and chip project will include Pine Hill Road, Buchanan Road, Featherbed Lane, Grafton Road, Hewitt Road, Pavilica Road, Reading Road and Upper Creek Road.

Mr. Kwasnik reported that the first step for restoring Dilts Park has begun with DPW placing gravel on the trail.

Mr. Kwasnik stated the DPW has begun the process of mowing the sides of the roads and this project should get caught back up soon.

Mr. Herman stated that the contractor has delayed the paving of Zentek Road.

Mr. Kwasnik stated that this is common when working with a cooperative contractor.

Mr. Herman stated the State has given Delaware Township a grant for Sanford Road. Mr. Herman stated a discussion will need to be conducted between the Road Commissioners and the Finance Committee on if this bid should be done in 2019 or in 2020.

**Sergeantsville Volunteer Fire Department**

Mr. Herman stated the Sergeantsville Volunteer Fire Department requested Delaware Township waive the Construction, Zoning and Zoning Application fees for the installation of a poll barn to replace smaller buildings that are not in the best of condition. Mr. Herman stated that the money for the new poll barn was donated to SVFD by a resident and that SVFD would like to reduce the cost of constructing the poll barn as much as possible.

Mr. Herman motioned to waive the Construction, Zoning and Zoning Application fees for the installation of a Poll Barn for the Sergeantsville Volunteer Fire Department. Mrs. Lockwood seconded the motion, and the members approved the motion by roll call vote.

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

**Newsletter**

Mrs. Lockwood stated that the Newsletter was sent to the printer today.

Mrs. Lockwood stated Penn East has resubmitted their application to the NJDEP. Mrs. Lockwood stated that the Pipeline Sub-Committee will be reviewing these new pipeline documents.

**Garbage Situation**

Mr. Waltman reported that Republic seems to be catching up on picking up resident’s garbage and recycling.

Mrs. McKinney stated if any residents have remaining issues they should call Hunterdon County Board of Health as well as their garbage provider.

Mrs. Lockwood stated the question on who the residents are using for their garbage service will be in the newsletter and Ms. Klink will be the person for residents to contact with the answers to this question.

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

No public comments were made.

**RESOLUTION 2019-67 –**

**DELAWARE TOWNSHIP**  
**RESOLUTION #2019-67**

**CERTIFICATE OF DETERMINATION AND AWARD**

I, Diane Soriero McDaniel, Chief Financial Officer of the Township of Delaware, in the County of Hunterdon, New Jersey (hereinafter referred to as the "Township"), HEREBY CERTIFY as follows:

1. I hereby determine to issue the Bond Anticipation Note (the "Note") hereinafter described by virtue of the authority conferred upon me by the bond ordinances of the Township referred to in the attached chart by reference to number, date of adoption and amount of bonds or notes authorized, such notes to be issued in the amounts indicated in the chart.

<u>TOTAL</u> <u>PRINCIPAL</u> <u>AMOUNT:</u>		<u>NUMBER</u>	<u>DENOMINATION</u>
\$2,710,000		2019-1	\$2,710,000

DATE: 7/23/19

MATURITY: 7/23/20

INTEREST  
RATE PER

ANNUM: 2.00%, payable at maturity (1.5849 Net Interest Cost)

CUSIP  
NUMBER:

PAYING

AGENT: Township of Delaware, New Jersey

2. Pursuant to the authority so conferred upon me, I have awarded and sold the Note to Jefferies LLC, at the price of \$2,721,249.00.

3. No bonds of the Township have heretofore been issued pursuant to the bond ordinances referred to in Section 1 hereof, except as set forth in the attached chart.

4. The date of the first note or other obligation issued in anticipation of the issuance of the bonds that the Note is issued in anticipation of, whether or not now outstanding, is as stated in the attached chart.

5. No grants have been received, no paydowns have been made and no cancellations have been enacted that would reduce the debt authorization below the amount of notes outstanding under the bond ordinances described in the attached chart except as set forth therein.

6. No notes or other obligations in anticipation of the issuance of bonds have heretofore been issued pursuant to the bond ordinances referred to in the attached chart and now remain outstanding and unpaid except as set forth in the attached chart.

IN WITNESS WHEREOF, I have hereunto set my hand as of July 23, 2019.

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

BE IT RESOLVED by the Township Committee of the Township of Delaware that the attached Certification of Determination and Award for Bond Anticipation Notes, Series 2019-1 in the principal amount of 2,710,000.00 be hereby accepted.

ATTEST:

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
August 12, 2019

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

Mr. Herman motioned to approve Resolution #2019-67. 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  
Absent/Abstain – None

**RESOLUTION 2019-68** –

**TOWNSHIP OF DELAWARE**  
**RESOLUTION #2019-68**

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Improvements to Lower Ferry Road project.

NOW, THEREFORE, BE IT RESOLVED that the Committee of the Township of Delaware formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-Delaware Township-00401 to the New Jersey Department of Transportation on behalf of the Township of Delaware.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are authorized to sign the grant agreement on behalf of the Township of Delaware and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ATTEST:

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

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
August 12, 2019

CERTIFICATION

I, Jodi McKinney, Clerk of the Township of Delaware, in the County of Hunterdon, New Jersey do hereby certify that the foregoing is correct and true copy of Resolution #2019-68 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on August 12, 2019.

\_\_\_\_\_  
Jodi McKinney, Clerk

Mr. Herman motioned to approve Resolution #2019-68. 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  
Absent/Abstain – None

RESOLUTION 2019-69 –

DELAWARE TOWNSHIP  
RESOLUTION #2019-69

**WHEREAS**, Pellegrino, Block 33 Lot 19, 6 Dogwood Drive did post a performance guarantee; and

**WHEREAS**, Delaware Township did receive said guarantee on May 1, 2018; and

**WHEREAS**, the Township Engineer by memo dated July 11, 2019 (a copy of which is attached), has recommended the release of the Performance Guarantee;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Delaware that the following performance guarantee be released:

PERFORMANCE GUARANTEE

\$ 20,000.00 plus interest	\$20,062.83
----------------------------	-------------

TO: John Pellegrino  
6 Dogwood Drive  
Flemington, NJ 08822

ATTEST:

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
August 12, 2019

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

Mrs. Lockwood motioned to approve Resolution #2019-69. 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  
Absent/Abstain – None

**RESOLUTION 2019-70** –

**DELAWARE TOWNSHIP**  
**RESOLUTION #2019-70**

**WHEREAS**, the Tax Assessor changed the 2019 assessment and the owner of the property already made payments which now result in an overpayment of taxes; and

**WHEREAS**, this overpayment was researched and found to be the result of the property value being changed on Township records;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Delaware, County of Hunterdon, State of New Jersey, that the Tax collector is hereby authorized to refund the following amounts as indicated:

Block 17, lot 35.02 Q0250– 110 Ferry Road

Assessed to: Martin, John & Kathleen  
112 Ferry Rd  
Flemington, NJ 08822

Overpayment amount: \$2,422.43

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Delaware, County of Hunterdon, State of New Jersey, that the Chief Financial Officer be authorized to issue a refund checks totaling \$2,422.43 to the owners listed above.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be provided to the Tax Collector and Chief Financial Officer.

ATTEST:

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

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
August 12, 2019

I, Jodi McKinney, RMC, Township Clerk of the Township of Delaware, in the County of Hunterdon, New Jersey do hereby certify that the foregoing is a correct and true copy of Resolution #2019-70 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on August 12, 2019.

\_\_\_\_\_  
Jodi McKinney, RMC

Mrs. Lockwood motioned to approve Resolution #2019-70. 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  
Absent/Abstain – None

**RESOLUTION 2019-71** –

**DELAWARE TOWNSHIP**  
**RESOLUTION 2019-71**

**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 of the Township of Delaware on April 29, 2019, the Township publicly declared its intent to commence a GEA Program; and

**WHEREAS**, the Borough of Califon is the Lead Agency for the Hunterdon Area Energy Cooperative (HAEC) and shall accept or reject pricing on behalf of the Cooperative and its participant members; and

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

**WHEREAS**, the Borough of Califon appointed Commercial Utility Consultants, Inc. (CUC) and Concord Engineering dba Concord Energy Services (CES) for the HAEC to serve as the Energy Agents to assist and administer the GEA program at no cost to the Borough of Califon or HAEC 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 HAEC, hereby agrees to proceed with the program by signing the Supplier Agreement should the Borough of Califon 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.

**I HEREBY CERTIFY** this to be a true and correct Resolution of the Township Committee of Township of Delaware, adopted on August 12, 2019.

Approved:

Attest:

---

Joseph Vocke, Mayor

---

Jodi McKinney, RMC  
Delaware Township Clerk  
August 12, 2019

Mrs. Lockwood motioned to approve Resolution #2019-71. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

Mrs. Lockwood stated that Hopewell decided to possibly withdraw from the original group and the remaining have decided to join an existing group of three Municipalities.

Mrs. Lockwood stated that the five local municipalities are switching the energy aggregation cooperative to join with the Hunterdon Area Energy Cooperative (HAEC) group. Mrs. Lockwood stated the Borough of Califon will be the Lead Agency for the Hunterdon Area Energy Cooperative (HAEC).

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

**RESOLUTION 2019-72** –

**DELAWARE TOWNSHIP**  
**RESOLUTION #2019-72**

**WHEREAS**, Chris and Jeannine Calhoun paid COAH fees on September 14, 2012 in the amount of \$642.75 (Check #5110);

**WHEREAS**, the scope of the work changed and the COAH fees assessed were decreased by calculation of the Tax Assessor to \$180.00 resulting in an overpayment in the amount of 462.75;

**NOW, THEREFORE, BE IT RESOLVED**, the Township Committee of the Township of Delaware, County of Hunterdon, State of New Jersey, is hereby authorized to refund the following amount as indicated:

Block 54, lot 6.02– 15 Sandy Ridge Road

To: **Calhoun, Chris & Jeannine**  
15 Sandy Ridge Road  
Stockton, NJ 08559

Overpayment amount: **\$462.75**

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Delaware, County of Hunterdon, State of New Jersey, that the Chief Financial Officer be authorized to issue a refund checks totaling \$462.75 to the owners listed above.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be provided to Tax Assessor and the Chief Financial Officer.

ATTEST:

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

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
August 12, 2019

**CERTIFICATION**

I, Jodi McKinney, RMC, Township Clerk of the Township of Delaware, in the County of Hunterdon, New Jersey do hereby certify that the foregoing is a correct and true copy of Resolution #2019-72 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on August 12, 2019.

\_\_\_\_\_  
Jodi McKinney, RMC

Mrs. Lockwood motioned to approve Resolution #2019-72. 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  
Absent/Abstain – None

**RESOLUTION 2019-73** –

**DELAWARE TOWNSHIP**  
**RESOLUTION # 2019-73**

**BE IT RESOLVED** by the Township Committee of the Township of Delaware that the final Contract Payment less a 2% retainage fee authorized in accordance with the Messercola Excavating Co. Inc. correspondence dated August 5, 2019, including Supplement Item #1, a copy of which is attached for the **Zentek Road Drainage Improvement Project:**

<b>Final Payment</b>		<b>80,542.00</b>
<b>Less Retainage</b>	<b>(2%)</b>	<b>(1,610.84)</b>
<b>Amount Due Payment Request final:</b>	<b>\$</b>	<b>78,931.16</b>

Messercola Excavating Co., Inc.  
549 E. 3<sup>rd</sup> Street  
Plainfield, NJ 07060

ATTEST:

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
August 12, 2019

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

I, Diane S. McDaniel, Chief Financial Officer of the Township of Delaware, do hereby certify that funds for this contract are available from General Capital Fund and Current Account.



---

Diane S. McDaniel, CFO

Mr. Herman motioned to approve Resolution #2019-67. 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  
Absent/Abstain – None

**AUTHORIZATION TO SIGN AND COMPLETE THE NJ AGRICULTURE SURVEY FOR GYPSY MOTH EGG MASSES**

Mr. Herman motioned to sign and complete the NJ Agriculture Survey for Gypsy Moth Egg Masses. Mrs. Lockwood seconded the motion, and members unanimously approved the motion by all in favor vote.

**AUTHORIZATION AS REQUESTED FROM THE DELAWARE TOWNSHIP HISTORICAL COMMITTEE FOR A LETTER OF SUPPORT TO THE COUNTY DEPARTMENT OF PUBLIC WORKS FOR THE REPAIR PROJECT ON THE SERGEANTS COVERED BRIDGE**

The Township Committee reviewed the request from the Historic Advisory Committee and discussed the Hunterdon County project which includes the change to the flooring deck and restoration maintenance for the Sergeants Covered Bridge.

Mr. Herman motioned to authorize Mayor Vocke to sign the letter the Historic Advisory Committee recommended in support of the Hunterdon County Department of Public Works for the repairs on the Sergeants Covered Bridge Project. Mr. Lockwood seconded the motion, and members unanimously approved the motion by all in favor vote.

**AUTHORIZATION OF ENVIRONMENTAL COMMISSION RECOMMENDATION FOR MAINTENANCE LANGUAGE FOR APPENDIX I FOR THE DRAINAGE AND CONSERVATION EASEMENTS**

Ms. Klink stated a complaint was received from Mr. Sichik, 150 Locktown Sergeantsville Road. Ms. Klink stated that Mr. Sichik complaint is about the conservation easement along three of his property lines. Mr. Sichik letter reported the Southerly easement is currently clogged with branches, roots, and leaves causing the runoff to reroute down the driveway and the water rerouting has caused damage to the driveway.

Ms. Klink stated there is no wording in the maintenance area of an easement as stated in the ordinance giving instruction on what could be done in the easement area in this type of situation. Ms. Klink stated the Environmental Commission is requesting an amendment to the language in Appendix I to make this generic enough to let someone have the ability to enter and give guidance on the general maintenance of the easement. Ms. Klink stated that Environmental Commission would like to add language that does not give specific permission but gives a more common sense permission that if the drainage is blocked someone can enter the easement to clear the blockage. Ms. Klink stated in the ordinance it does state that the Township can through mutual agreement allow someone to make changes to the easement.

Mr. Herman stated that this resident as stated in the easement ordinance did not feel that he could enter the easement to remove any debris from the easement and the debris collected over the last 25 years to cause the drainage of the easement to overflow and encroached into the resident's driveway.

Mrs. Lockwood stated there are two separate ordinances. Mrs. Lockwood stated one is for conservation easements and one is for drainage easements.

Ms. Klink stated in the Township ordinance there is not any language about the maintenance of an easement.

Mrs. Lockwood stated there are combined easements for conservation and drainage and it states in the ordinance that no one can touch a conservation easement. Mrs. Lockwood stated this might confuse someone and the conservation easements might be entered and this could cause damage to the conservation easement. Mrs. Lockwood stated this new language will need to be specific and help clarify the difference between a drainage easement and a conservation easement. Mrs. Lockwood stated the language must clarify that no maintenance can be conducted on the conservation portion of the easement.

Ms. Klink stated that the Township Committee can send the request for language change to the Township Attorney for review or if the Township Committee chooses to amend the ordinance the Township Committee can request the Planning Board review the changes to the language of the ordinance.

Mrs. Lockwood stated there is a concern a resident might get in trouble if they do maintenance in an area that is a regulated feature.

Ms. Klink stated that this should show up on the survey when a resident buys a property.

Mr. Herman motioned to accept the recommendation from the Delaware Township Environmental Commission and forward the changes language to the Delaware Township Planning Board to make the adjustments to the existing conservation and drainage easements and that this language be added to future drainage easements. Mr. Kwasnik seconded the motion, and members unanimously approved the motion by all in favor vote.

Mr. Herman motioned to authorize the Township Committee to create a letter to the resident of 150 Locktown Sergeantsville Road giving permission to enter the drainage easement to clear the debris such as grass, rocks, branches, fallen trees, that are obstructing the flow of water in the drainage easement without the use of heavy equipment. Mr. Waltman seconded the motion, and members unanimously approved the motion by all in favor vote.

**AUTHORIZATION OF THE DELAWARE TOWNSHIP RECREATION COMMISSIONS REQUEST FOR AUTHORIZATION FOR FIREWORKS FOR SEPTEMBER 7, 2019 AT DILTS PARK.**

Mr. Herman motioned to authorize Delaware Township Recreation Commissions request for fireworks for September 7, 2019 at Dilts Park. Mrs. Lockwood seconded the motion, and members unanimously approved the motion by all in favor vote.

**AUTHORIZATION FOR TAILGATING FOR THE DELAWARE TOWNSHIP RECREATION EVENTS AT DILTS PARK ON SEPTEMBER 7, 2019 AND FOR THE VILLAGE GREEN BLOCK PARTY ON OCTOBER 5, 2019 Resolution #2019-75**

Mr. Herman motioned to authorize permission for tailgating for the Delaware Township Recreation events at Dilts Park on September 7, 2019 and for the Village Green Block Party on October 5, 2019. Mr. Waltman seconded the motion, and members unanimously approved the motion by all in favor vote.

\*\*\*\* Resolution was created as per the State Fire Inspectors request.

**DELAWARE TOWNSHIP  
RESOLUTION #2019-75**

WHEREAS, the Delaware Township Recreation Commission has requested permission to have Garden State Fireworks, Inc. hold a fireworks display for the Delaware Township Community Day at the Dilts Farm Park on September 7, 2019 (rain date September 14, 2019), in the amount of \$6,000.00 (excluding Fire Permit Fees); and

WHEREAS, the Township Committee believes that it is appropriate to grant permission for such display, having given notice of the event to the Township's insurance carrier, having identified Garden State Fireworks, Inc. as the vendor, having provided to the Township's insurance carrier proof of insurance for Garden State Fireworks, Inc. and confirmation that the Township of Delaware is named as an additional insured, and having otherwise addressed any

issues or concerns of the Somerset County Joint Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delaware that permission is granted to have Garden State Fireworks, Inc. conduct a fireworks display during the Community Day Celebration at the Dilts Farm Park on September 7, 2019 (rain date September 14, 2019) provided that it satisfies all comments and concerns, if any, of the State of New Jersey Department of Community Affairs Division of Fire Safety, the Sergeantsville Volunteer Fire Department, the Delaware Township Police Department, and/or any other regulatory agency or body identified and/or issued prior to or on the evening of the display including that relating to weather conditions at the time of the display.

Copies of this Resolution are to be forwarded to Garden State Fireworks, Inc., the Delaware Township Recreation Commission, the Delaware Township Police Department, the Sergeantsville Volunteer Fire Company, Charles F. Wian, Principal Inspector of the New Jersey Department of Community Affairs - Division of Fire Safety, and the Somerset County Joint Insurance Fund.

ATTEST:

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

\_\_\_\_\_  
Jodi McKinney, RMC  
Township Clerk  
August 12, 2019

**AUTHORIZATION TO WAIVE THE GENERAL INSPECTIONS FOR THE QUARRY FOR 2019**

Mr. Waltman stated the Delaware Township Quarry Ordinance requires the Township Engineer conduct semi-annual inspections at the Trap Rock Industries' quarry. The inspections are to be conducted twice a year. Mr. Waltman stated the Township Engineer conducted the last inspection (which was a full inspection) on June 9, 2017 and the only recommendation the Township Engineer made was that the silt fence surrounding the soil pile should be repaired prior to placing any additional soil.

Mr. Waltman reported since the June 9, 2017 inspection, there have been minimal quarry operations at the Trap Rock Industries' quarry. Mr. Waltman stated Trap Rock indicated in their January 10, 2019 Annual Quarry License Submittal Requirements Form that they do not anticipate operating the quarry in 2019.

Joe Chrobak from Trap Rock indicated Trap Rock Industries' will continue to inspect the perimeter fence and make any repairs that might be needed this year.

Mr. Waltman stated the QCC is recommending that the Township Committee waive the requirement for a quarry inspection in April 2019 and October 2019.

Mr. Waltman motioned to waive the requirement for the two quarry inspections for 2019. Mr. Kwasnik seconded the motion, and members unanimously approved the motion by all in favor vote.

**AUTHORIZATION OF THE RESIGNATION OF JANET CURLL FROM THE DELAWARE TOWNSHIP BOARD OF HEALTH**

Mr. Herman motioned to accept the resignation of Janet Curll from the Delaware Township Board of Health. Mrs. Lockwood seconded the motion, and 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**

Ms. Lisa Suydam presented the Township Committee with a copy of the certified letter from Penn East she received on Saturday, August 10, 2019 which stated Penn East has submitted an application to NJDEP. Ms. Suydam is concerned about the quick deadline of 15 calendar days for residents to mail in a written comment if they choose to the NJDEP. Ms. Suydam stated some of the residents that have the pipeline going through their property have not received any certified notification letters as of today. Ms. Suydam asked the Township Committee if all prior documentation that were sent to the NJDEP will be null and void.

Mrs. Lockwood stated the Pipeline Sub-Committee will forward all prior documents to make sure all concerns are resubmitted to the NJDEP. Mrs. Lockwood stated the State usually will take comments until NJDEP is ready to give a decision on an application.

Mr. Herman motioned to authorize the Township Committee to send a letter to NJDEP to request NJDEP to review the Penn East letter to resident. Mr. Herman asked the letter to address the short deadline for comments and if this deadline meet the legal requirements of proper notice, the inability to be able to submit complaints electronically and that Penn East stated in the documents that were sent to Delaware Township that there are disks included with the documents and these disks are missing. Mr. Waltman seconded the motion, and the members approved the motion by roll call vote.

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

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

Mr. Herman requested a thank you document be created to present to two Eagle Scouts that will be receiving their award at a special event on September 8, 2019.

### **APPROVAL OF BILL LIST**

Members reviewed and approved the following vouchers for payment for \$2,971,161.04 at the Regular Meeting of the Delaware Township Committee meeting held on August 12, 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 August 12, 2019 vouchers be paid.

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

### **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:

- TO INTERVIEW AND DISCUSS A MATTER OF A P/T POLICE OFFICER
- TO DISCUSS A MATTER OF CONTRACT NEGOTIATIONS FOR SIDEWALK EASEMENT PROJECT

- TO DISCUSS PERSONNEL MATTERS
- TO DISCUSS 2020 RFP'S
- TO DISCUSS NEGOTIATIONS FOR CEMETERY EASEMENT

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:

\_\_\_\_\_  
 Jodi McKinney  
 Township Clerk  
 August 12, 2019

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

Mr. Herman 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**

Mr. Herman motioned to come out of Executive Session. Mr. Waltman seconded the motion, and members unanimously approved the motion by all in favor vote.

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

**RESOLUTION 2019-74** –

**DELAWARE TOWNSHIP**  
**RESOLUTION #2019-74**

WHEREAS, the Township Committee of the Township of Delaware, Hunterdon County, New Jersey has due to a vacancy for a part time Law Enforcement Officer position at the Delaware Township Police Department and to appointment a replacement.

NOW, THEREFORE, BE IT RESOLVED by the Delaware Township Committee that the 2019 annual salary for Officer Jeff Jones for the position of Law Enforcement Officer starting August 13, 2019 at an hourly salary of \$25.00 per hour.

**PART TIME POLICE OFFICER**

Jeff Jones (effective August 13, 2019)	\$25.00/HOURLY
--	----------------

ATTEST:

\_\_\_\_\_  
 Jodi McKinney, RMC  
 Township Clerk  
 August 12, 2019

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

Mrs. Lockwood motioned to approve Resolution #2019-74. 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  
 Absent/Abstain – None

---

Mr. Herman motioned to authorize the acceptance of the draft Deed of Easement for Ingress and Egress for the historical Moore Cemetery located on Block 45, Lot 3 and 5 pending a conformation of Certification of legal description. Mr. Kwasnik seconded the motion, the members approved the motion by roll call vote.

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

**ADJOURNMENT**

Members motioned, seconded, and members unanimously approved a motion to adjourn the meeting at 10:04 p.m.

Respectfully submitted,

Jodi McKinney, RMC  
Township Clerk

Approved: (September 9, 2019)

---

Joseph Vocke, Mayor