



DELAWARE TOWNSHIP
COMMITTEE MINUTES
September 30, 2019 – 7:30 P.M.

Mayor Joseph Vocke called the regular meeting of the Delaware Township Committee to order on September 30, 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 SEPTEMBER 9, 2019 TOWNSHIP COMMITTEE MEETING

Mr. Herman motioned to approve the minutes from the September 9, 2019 Township Committee Meeting. Mr. Waltman seconded the motion.

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

TOWNSHIP COMMITTEE REPORTS

Energy Aggregation Township Facility Program only

Mrs. Lockwood stated Concord Energy Services went out for two separate bids for the Energy Aggregation program for the Township. Mrs. Lockwood reported the one rate bid for street lighting came back with no savings for the Township. Mrs. Lockwood stated the second bid for the Township facilities came back as a savings for the Township. Mrs. Lockwood stated the rate savings for the bid for the Township facilities came back with two options. The first is for General Service at a savings of \$2,205.25 over a 24-month term and the second option for Voluntary Enhanced Renewable would result in a savings of \$2,124.50 over a 24-month period. Mrs. Lockwood recommended the Township consider Option 2 since there is only a \$100.00 difference over the 24-month period and this is a higher renewable option. Mrs. Lockwood stated the next step is to authorize and sign the Renewable Energy Opt in Form and to draft a resolution to Opt in for the next Township Committee meeting for approval.

Mrs. Lockwood motioned to authorize Mayor Joseph Vocke to sign the Renewable Opt in Form and agreement on behalf of the Township and to approve the Township's interest in participating in the Voluntary Enhanced Renewable rate option. 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

Absent/Abstain – None

DPW

Mr. Herman reported the Whiskey Lane and Boars Head Road projects are completed.

Mr. Kwasnik stated that residents who are conducting their fall leave clean ups should not place this debris into the drainage ditches. Mr. Kwasnik stated that when residents do this it causes flooding and drainage issues.

Recreation

Mr. Herman announced the Delaware Township Block Party will be held on Saturday, October 5, 2019. Mr. Herman stated the Fishing Derby took place on Saturday, September 28, 2019 and was well-attended. Mr. Herman stated there were 90 registered participants.

Pipeline Sub-Committee

Mrs. Lockwood stated the Pipeline Sub-Committee received an estimate of \$10,000.00 each to hire two consulting professionals. Mrs. Lockwood stated one consultant would be for the environmental and mitigation review and the other would be for an engineering review to address items such as horizontal directional drilling.

MEETING OPEN TO THE PUBLIC FOR COMMENTS ON AGENDA ITEMS ONLY

Ms. Klink announced that Steve Jaques passed away. Ms. Klink stated Mr. Jaques was on the Delaware Township Planning Board for many years.

Mr. David Wingerter, 41 Boars Head Road, stated his concern that no advanced notification was given to residents on Boars Head Road stating the road would be closed for a road project. Mr. Wingerter would like the residents of the Township notified when their roads will be closed in advance so necessary arrangements can be made beforehand. Mr. Wingerter stated the contractor told him that the gap between the existing pavement and the ditch will be filled with top soil. Mr. Wingerter asked when this would be accomplished.

Mr. Kwasnik stated the main road project has been completed on Whiskey Lane and Boars Head Road and Mr. Kwasnik will address the remaining items with Mr. Trstensky to make sure these items are completed in a timely manner.

Mr. Herman stated the Township Committee has voiced concern to the Township Engineer and to the contractor about notification of road closures. Mr. Herman stated that a more efficient process for road closure notification has been requested.

Mrs. Gayle Conover, 60 Covered Bridge Road, asked what part of Lower Creek Road will be addressed with Ordinance #2019-16.

Mr. Herman stated the area closer to County Road 519 due to the road washing out.

ORDINANCE 2019-16 –SECOND READING

DELAWARE TOWNSHIP
ORDINANCE #2019-16

A CAPITAL ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON, AND STATE OF NEW JERSEY TO AUTHORIZE AN EXPENDITURE AND APPROPRIATION FROM THE RESERVE FOR ROAD IMPROVEMENT FUND FOR THE PURCHASE OF ROAD IMPROVEMENTS IN THE AMOUNT OF \$35,000.00.

BE IT ORDAINED by the Township Committee of the Township of Delaware, County of Hunterdon, and State of New Jersey as follows:

Section 1. Delaware Township has to make improvements including but not limited to a section of Lower Creek Road including repairs to the gabion walls in Delaware Township in order to maintain our road system. Delaware Township hereby authorizes an appropriation and expenditure for labor and materials to make improvements to Lower Creek Road, in an amount not to exceed \$35,000.00; and,

Section 2. Total amount to be expended from the reserve for road improvements shall not exceed \$35,000.00.

Section 3. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This Ordinance shall take effect immediately upon adoption in accordance with the laws of the State of New Jersey.

Joseph Vocke, Mayor

ATTEST:

Jodi McKinney, RMC
Township Clerk
September 9, 2019

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held September 9, 2019. It will be considered on second reading for final adoption at a regular meeting to be held September 30, 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 #2019-16 to the public, Mr. Herman seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mrs. Lockwood motioned to close the public hearing on Ordinance #2019-16 to the public, Mr. Herman seconded the motion, and the members unanimously approved the motion by all in favor vote.

Mr. Herman reminded the above financing is to help with the preliminary stages for the Lower Creek Road project.

Mrs. Lockwood motioned to approve Ordinance #2019-16 on second reading, and Mr. Herman seconded the motion for second reading by roll call vote.

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

ORDINANCE 2019-17 – FIRST READING

DELAWARE TOWNSHIP
ORDINANCE # 2019-17

AN ORDINANCE AMENDING AND SUPPLEMENTING THE SECTION 230-25C (3) OF THE LAND USE ORDINANCE OF THE CODE OF THE TOWNSHIP OF DELAWARE PERTAINING PERMITTED MODIFICATIONS AND EXCEPTIONS

BE IT ORDAINED by the Mayor and Township Committee of the Township of Delaware in the County of Hunterdon, State of New Jersey that the following amendments shall be made to Chapter 230

of the Code of Delaware Township pertaining to land use. New language is underlined thus. Language being deleted contains strike-outs ~~thus~~:

Section 1. Section 230-25 "Permitted modifications and exceptions" is amended as follows:

a. Lots conforming to the 1976 Zoning Ordinance. Notwithstanding the provisions of Sections 230-12G(2) and 230-25C(2) above, any residential lot in the A-1, the A-2, the V-1 or the V-2 Zone which was conforming to the provisions of the Zoning Ordinance adopted on November 1, 1976, or was created by subdivision duly approved by the Planning Board since November 1, 1976, may have a building permit issued for new construction or for an addition to an existing permit issued for new construction of an accessory building without an appeal to the Board of Adjustment, provided that the yard requirements are reduced by the same percentage that the lot area bears to the zone district requirements, and except further that no side yard shall be reduced to less than 20 feet, no rear yard to less than 40 feet, and no front yard to less than 15 feet, and provided further, that all other requirements of this chapter have been met.

Section 2. Superseding Ordinance and Inconsistency. This ordinance supersedes any ordinances, sections or portions of the General Ordinances of Delaware Township or any other Township ordinance inconsistent herewith, unless such ordinance contains more stringent standards than this Ordinance, in which case the more stringent standards shall apply. All ordinances or parts of ordinances inconsistent with this Ordinance and less stringent than the standards set forth herein are hereby repealed to the extent of such inconsistency.

Section 3. Renumbering. The sections, subsections and provisions of this Ordinance may be renumbered as necessary or practical for codification purposes.

Section 4. Severability. If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such order or judgment shall not effect of invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 5. Effective Date. This Ordinance shall take effect immediately upon final adoption and publication according to the laws of the State of New Jersey and upon filing with the Hunterdon County Planning Board.

Joseph Vocke, Mayor

ATTEST:

Jodi McKinney, RMC
Township Clerk
September 9, 2019

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held September 30, 2019. It will be considered on second reading for final adoption at a regular meeting to be held October 15, 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. Waltman motioned to approve Ordinance #2019-17 on first reading, and Mrs. Lockwood seconded the motion for first reading by roll call vote.

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

RESOLUTION 2019-84 –

DELAWARE TOWNSHIP
RESOLUTION #2019-84

APPOINTS CROSSING GUARD

WHEREAS, Stefany Moran resigned effective June 30, 2019 from the

position of Crossing Guard, but will continue as a back-up when needed, the Delaware Township Committee now wishes to appoint a new Crossing Guard.

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 appoints Heather Schlesier to serve as the Crossing Guard at the Delaware Township School Effective September 2, 2019 at a rate of \$17.67 per shift.

ATTEST:

Joseph Vocke, Mayor

Jodi McKinney
Township Clerk
September 30, 2019

Mr. Herman motioned to approve Resolution #2019-84. 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 2019-85 –

DELAWARE TOWNSHIP
RESOLUTION #2019-85

**REJECTING BID FOR CONTRACT MC Project No. DPT099 ROSEMONT RINGOES
SIDEWALK IMPROVEMENT PROJECT**

WHEREAS, the Township of Delaware has determined that it is necessary to make improvements to the Rosemont Ringoes Sidewalks, and to advertise for bids for the performance of the work; and

WHEREAS, one (1) bids were received on September 10, 2019, from:

Your Way Construction, Inc., 404 Coit Street, Irvington, New Jersey 07111 in the amount of \$285,385.95;

WHEREAS, the Local Public Contracts Law, and in particular N.J.S.A. 40A:11-13.2a. and b. thereof, authorizes the Committee to reject bids if the lowest bid substantially exceeds the cost estimates for the project and/or substantially exceeds the Township’s appropriation for the project, respectively;

NOW THEREFORE, BE IT RESOLVED by the Committee of the Township of Delaware as follows:

1. The bids submitted to complete MC Project No. DPT099 Rosemont Ringoes Sidewalk Improvement Project are hereby rejected on the basis that the bid substantially exceeds the Township’s appropriation for the project, and substantially exceeds the cost estimate of the project in accordance with the Local Public Contracts Law; and
2. The Clerk, Engineer and other appropriate officials are authorized and directed to re-advertise Mc Project No. DPT099 Rosemont Ringoes Sidewalk Improvement Project on a date to be determined.
3. A copy of this Resolution shall be sent to all bidders.

ATTEST:

Jodi McKinney, RMC
Township Clerk
September 30, 2019

Joseph Vocke, Mayor

Mr. Herman motioned to approve Resolution #2019-85. Mrs. Lockwood seconded the motion, and the members approved the motion by roll call vote.

Mr. Herman stated the sidewalk project bids came in over the funds that the Township had reserved for the sidewalk project. Mr. Herman stated a second extension will be requested to the State to give additional time to rebid the project.

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

AUTHORIZATION FOR GIRL SCOUT SILVER AWARD PROJECT – PLAYGROUND EXPANSION – TWO PICNIC TABLES - DILTS PARK

Ms. Kim Gillespie, Ms. Alexa Tetterer and Ms. Samantha Whiteman, representing the Girl Scout Silver Award Project, presented plans for an expansion of the playground area by 8 feet and to build two new picnic tables for the expanded area of the playground. The Delaware Township Recreation Commission recommended the Township Committee authorize the Girl Scout Silver Project for Dilts Park.

The Township Committee discussed with Bob Hornby, Shade Tree Chairperson, the removal of 20 smaller Ash trees in the area of the playground to help with the expansion.

Mr. Herman motioned to authorize with much appreciation the Silver Award project for the playground extension and authorize DPW to work with the Girl Scouts to expand the playground area at Dilts Park. Mr. Waltman seconded the motion, and the members unanimously approved the motion by all in favor vote.

AUTHORIZATION FOR EAGLE SCOUT PROJECT – BOCCE COURT – DILTS PARK

Mr. Ethan Gillespie, Eagle Scout, presented the Township Committee with plans to build a 60 feet by 12 feet Bocce Court as an Eagle Scout project at Dilts Park. The Delaware Township Recreation Commission recommended the Township Committee authorize the Eagle Scout Project for Dilts Park.

Mr. Herman motioned to authorize Mr. Ethan Gillespie to conduct an Eagle Scout Project of creating a Bocce Court at Dilts Park. Mr. Waltman seconded the motion, and the members unanimously approved the motion by all in favor vote.

PRESENTATION AND DISCUSSION OF THE LOCKTOWN STONE CHURCH PROPERTY ADDITION REQUEST

Mr., Mark Zdepski, Trustee of Locktown Stone Church, presented the Township Committee with plans to add an additional building to the Locktown Stone Church property to house restrooms and storage. Mr. Zdepski stated since the Township owns this property the Locktown Stone Church is required to ask the Township for permission and to partner in signing a Wetland Transition Area Waiver. Mr. Zdepski stated this is the first step in gaining State approval for the project. Mr. Zdepski stated if the State approves this project the Township would need to co-sign a NJDEP Treatment Works permit for a closed sanitary system. Mr. Zdepski gave the history of Locktown Stone Church and reviewed events that are conducted at the Locktown Stone Church. Mr. Zdepski stated without restrooms at this facility it limits the events and activities that can be conducted at the Locktown Stone Church. Mr. Zdepski stated the design of the building that would house the restrooms and storage would be a replica of the wagon sheds that once stood in this area of the property. Mr. Zdepski stated the funding for this project would

come from grants and private donations. Mr. Zdepski stated a request to the Township will be made, if the project gets approved from the State, to waive the Board of Adjustment fees since this is a Township property.

Mr. Herman suggested this project be presented to the Delaware Township Historic Advisory Committee so they can review the proposed plans.

Mr. Cline advised to be prepared if the RSIS restriction apply for parking. Mr. Cline suggested that the RSIS be researched and addressed before the application goes before the Board of Adjustment.

The Township Committee discussed other possible items and permit that would be required by the Township and State in order for this project to be accomplished.

Mr. Herman motioned to authorize the co-signing with Locktown Stone Church for the Wetland Transition Area Waiver and authorize approval to begin building a facility to house restrooms and storage by going through the application process with the Board of Adjustment as required by the Township 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
Absent/Abstain – Lockwood

AUTHORIZATION TO CONDUCT AN RFP FOR 2020 DELAWARE TOWNSHIP LEGAL SERVICE

The Township Committee discussed the RFP and the changes in the position description that would be included for the Township Attorney for the 2020 year.

Mr. Herman motioned to have the Personnel Sub-Committee work with the Township Chief Financial Officer to create the RFP for the Township Attorney professional service for 2020. 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
Absent/Abstain – None

FLOORING AND BUILDING MAINTENANCE DISCUSSION AND REVIEW OF COST

The Township Committee discussed the pricing and scope of work needed to replace the flooring in the Municipal Building. The Township Committee discussed other maintenance items needed at the Municipal Building.

Mr. Herman will discuss with Mr. Trstensky, DPW Director, the flooring project and replacement of doors needed at the Township Municipal Building, prioritize the projects and discuss other possible options for flooring and replacement doors.

REVIEW OF MEETING DATES

The Township Committee reviewed the meeting dates.

MEETING OPEN TO THE PUBLIC

Mrs. Gayle Conover, 60 Covered Bridge Road, thanked the Township Committee for the placement of the arrow sign on Covered Bridge Road. Mrs. Conover stated that the signs have helped tremendously. Mrs. Conover requested that speed limit signs be replaced as discussed prior to make Covered Bridge Road a 25 MPH speed limit zone.

Mr. Chuck Cline thanked the DPW for cleaning up and trimming back the landscaping on the corner of County Road 604 and Reading Road.

Mr. Cline asked if the County Engineer addressed the flooding concerns in the Rosemont section caused by the County Road project.

Mr. Herman stated the County will be addressing this issue when the County does the road resurfacing project in Rosemont at the beginning of 2020.

Mr. Bob Hornby stated the trees in the area of Dilts Park that will be taken down for the expansion of the playground can be chipped into the expansion and used as mulch. Mr. Hornby spoke about funding that is now available from the State to help replant areas affected by the Ash Borer infestation. Mr. Hornby does not know if Dilts Park would qualify for this funding.

FINAL COMMENTS OF THE TOWNSHIP COMMITTEE

Mr. Herman reported that the two fundraisers conducted by two Township Families affected by Childhood cancer went very well and were well attended. Mr. Herman stated the Mackenzie Wright family sponsored Philadelphia Park and Run event raising \$14,000.00 and the St. Baldrick's event conducted by Linda Swackhamer broke the \$60,000.00 mark after Sunday's event.

Mr. Herman stated between the Girl Scout, Boy Scout, Local Church support and the fundraising events, the Township is lucky to have such great support from the Community.

Mrs. Lockwood stated the next newsletter will be going out to residents on December 1, 2019 and the deadline will be October 25, 2019.

APPROVAL OF BILL LIST

Members reviewed and approved the following vouchers for payment for \$115,052.94 at the Regular Meeting of the Delaware Township Committee meeting held on September 30, 2019. Mrs. Lockwood motioned to approve payment of the bills on the bill list. Mr. Herman 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 September 30, 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 DISCUSS A MATTER OF LEGAL LITIGATION

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
September 30, 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.

ADJOURNMENT

Members motioned, seconded, and members unanimously approved a motion to adjourn the meeting at 9:37 p.m.

Respectfully submitted,

Jodi McKinney, RMC
Township Clerk

Approved: (October 15, 2019)

Joseph Vocke, Mayor