



DELAWARE TOWNSHIP COMMITTEE
REGULAR MEETING MINUTES
September 14, 2020 – 7:30 PM

Mayor Charles Herman called the regular meeting of the Delaware Township Committee to order on September 14, 2020 at 7:30 PM. Mayor Herman announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was faxed to the Hunterdon County Democrat, Trenton Times, Courier News and the Star Ledger; was posted on the bulletin board in the Municipal Building and filed with the Township Clerk on January 3, 2020.

PLEDGE OF ALLEGIANCE

Mayor Herman led those in attendance in the pledge to the nation's flag.

ROLL CALL

Present: Mayor Charles Herman, Deputy Mayor James Waltman, Committee Members Daniel Kwasnik, Susan Lockwood and Joseph Vocke along with Township Clerk Maria Andrews.

ANNOUNCEMENTS

- The November 3, 2020 Election is an "ALL PAPER Election" – The County Clerk will Begin Mailing Every Active Voter a Ballot the First Week of October

APPROVAL OF TOWNSHIP COMMITTEE MINUTES

A motion by Waltman, seconded by Vocke to approve the Committee's 8/10/20 regular session minutes with no revisions noted was approved by voice vote with Committeeman Kwasnik abstaining.

A motion by Waltman, seconded by Vocke to approve the Committee's 9/8/20 special meeting minutes with no revisions noted was approved by voice vote with Committeeman Kwasnik abstaining.

A motion by Waltman, seconded by Vocke to approve the Committee's 9/8/20 executive session minutes with no revisions noted was approved by voice vote with Committeeman Kwasnik abstaining.

TOWNSHIP COMMITTEE REPORTS

Committeeman Kwasnik noted Public Works is down a mower. DPW Director Jay Trstensky is in the process of fixing it and intends to catch up on the mowing soon.

Committeewoman Lockwood noted the Pipeline Committee did not hold their meeting due to technical difficulties with the ZOOM videoconferencing platform.

Deputy Mayor Waltman noted the Police Department did a traffic speed study the week of 7/4/20 through 7/13/20 on Rosemont Ringoes Road just beyond Zentek Road. He highlighted the following points:

1. A total of 9918 vehicles traveled the roadway during that timeframe
2. 65% of the vehicles were traveling between 35 – 45 mph
3. 21.8% of the vehicles were traveling between 45 – 55 mph
4. Only .9% of the vehicles exceeded the posted speed limit by more than 30 mph and Chief Cane believes these were likely motorcycle riders
5. Only 1.2% of the westbound traffic exceeded the posted speed limit by more than 30 mph
6. Only .6% of the eastbound traffic exceeded the posted speed limit by more than 30 mph
7. Only 20 % of the westbound traffic exceeded the posted speed limit by more than 20 mph
8. Only 23.5% of the eastbound traffic exceeded the posted speed limit by more than 20 mph

Deputy Mayor Waltman stated the Police have indicated they will begin patrolling during specifically targeted time slots.

Mayor Herman reported on the Fireworks display Saturday evening. He noted it was a well attended event with everyone acting responsibly and staying in or near their vehicles. He expressed that the Township and Parks & Recreation will do a better job advertising next year. He said he was notified that some residents would have liked to attend but weren't aware of the event, while others expressed concern over not having adequate notice to sufficiently secure their pets and farm animals.

Additionally Mayor Herman addressed the social media issue regarding the sentiment that the fireworks were funded through Open Space money. He noted that was not the case and clarified Parks & Recreation funds covered the event.

Lastly, Mayor Herman commented that he would like to begin getting folks in to the meetings for proper recognition of the various projects they have done. He specifically noted the Girl Scout's recent water fountain project at Dilts Park.

OPEN TO THE PUBLIC (For Items on the Agenda)

Mayor Herman opened the floor to public comment for items on the agenda.

Chuck Cline of 139 Upper Creek Road came forward and inquired as to whether or not the Pipeline Committee meeting scheduled for this week can be an "in-person" meeting. Committeewoman Lockwood said yes.

Roger Byrom of 7 Zentek Road came forward and expressed appreciation for the traffic study. He then asked when the police enforcement will take place. Deputy Mayor Waltman commented that Chief Cane and the department will utilize hand radar as well as strategic roadway positioning to target speeders. He remarked that specific details on the exact times and locations cannot be provided because that would defeat the purpose of the enforcement.

Seeing no other members of the public come forward, Mayor Herman closed the floor to public comment.

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

Public Hearing: ORDINANCE #2020-06: AN ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY SUPPLEMENTING SECTION 2-23 "MISCELLANEOUS FEES" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DELAWARE, 1985,

Mayor Herman read Ordinance #2020-06 by title.

DELAWARE TOWNSHIP
ORDINANCE #2020-06

AN ORDINANCE OF THE TOWNSHIP OF DELAWARE, COUNTY OF HUNTERDON
AND STATE OF NEW JERSEY SUPPLEMENTING SECTION 2-23 "MISCELLANEOUS FEES" OF
THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DELAWARE, 1985.

BE IT ORDAINED AND ENACTED by the Mayor and Township Committee of Delaware Township in the County of Hunterdon and State of New Jersey as follows:

Section 1. Section 2-23 MISCELLANEOUS FEES of the "Revised General Ordinances of the Township of Delaware, 1985" is hereby supplemented to add the following new subsection which shall read as follows:

§ 190-21. Purpose.

Purpose. In order to defray the cost associated with Township Clean-Up Days, Delaware Township hereby establishes Clean-Up Day permit fees.

§ 190-22. Permit fees. Fees in Connection with Township Clean-Up Days

Permit Fees. Permit fees for each Clean-Up Day shall be as follows:

PROPOSED FOR October 17, 2020 (and future dates)
(NOT for commercial vehicles)

(HONOR SYSTEM)

Passenger cars, NON-SUV	\$10.00
Mini-vans; smaller SUVs	\$20.00
Smaller pick-up trucks (up to two tons); larger SUVs	\$30.00
Larger pick-up trucks; over-sized vans	\$35.00
Trailer, up to 12 feet in length, with no side extensions +\$2.00 for each additional foot, up to 18 feet	\$40.00
Tire without rim (16" diameter maximum, limit 10 per family)	\$ 5.00

Section 2. Severability. If the provision of any article, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court or competent jurisdiction, such Order or Judgment shall not effect or 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 3. Codification. This ordinance may be renumbered for codification purposes.

Section 4. Effective Date. This Ordinance shall take effect immediately upon passage and publication according to the laws of the State of New Jersey.

ATTEST:

Charles Herman, Mayor

Kathy Klink, Acting Clerk

Introduced: August 10, 2020
Adopted: September 14, 2020

A motion by Lockwood, seconded by Waltman to open the floor to public comment on Ordinance #2020-06 was unanimously approved by voice vote. Seeing no members of the public come forward, a motion was made by Lockwood and seconded by Waltman to close the floor to public comment. The motion was unanimously approved by voice vote.

A motion by Lockwood, seconded by Waltman adopting Ordinance #2020-06 upon second reading, was unanimously approved by roll call vote.

Kwasnik: Yes, Lockwood: Yes, Vocke: Yes, Waltman: Yes, Herman: Yes

RESOLUTION #2020-65: TAX PAYMENT REFUND – BLOCK 24.01 LOT 10

Resolution #2020-65

WHEREAS, a payment was received from the mortgage company to pay 3rd quarter 2020 taxes, for Block 24.01 Lot 10 property address: 18 Higgins Farm Road, Stockton, NJ;

WHEREAS, First Jersey Title Services, Inc. also made a payment in the amount of \$2548.05 for 3rd quarter 2020 taxes;

WHEREAS, the Tax Collector researched these payments and agrees that there was a double payment, and;

WHEREAS, First Jersey Title Services, Inc. is requesting a refund of \$2548.05 be sent back to them, and;

NOW THEREFORE BE IT RESOLVED that the Township Committee authorize the Delaware Township Treasurer to refund \$2548.05 to:

First Jersey Title Services, Inc.
P.O. Box 2525 (25-00 Broadway)
Fair Lawn, NJ 07410

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

ATTEST:

Charlie Herman, Mayor

A motion by Lockwood, seconded by Waltman to approve Resolution #2020-65 was unanimously approved by roll call vote.

Kwasnik: Yes, Lockwood: Yes, Vocke: Yes, Waltman: Yes, Herman: Yes

RESOLUTION #2020-66: CHILDHOOD CANCER AWARENESS MONTH

Mayor Herman commended all of the people involved with spreading the importance of childhood cancer awareness and all those who have taken personal tragedies and done great things raising tremendous amounts of money for this cause.

Resolution #2020-66

WHEREAS, worldwide, more than 175,000 children are diagnosed with cancer each year; and

WHEREAS, childhood cancer is the number one cause of death by disease of children in the United States; and

WHEREAS, September is Childhood Cancer Awareness Month; and

WHEREAS, Children’s Hospital of Philadelphia Parkway Virtual Run and Walk and the St. Baldrick’s Virtual Head-Shaving Event and Auction on September 27, 2020 aim to benefit underfunded and much needed lifesaving childhood cancer research; and

WHEREAS, the recognition and support of elected officials in Delaware Township, Hunterdon County, New Jersey will help to raise awareness and move us closer to finding cures and better treatment options for kids battling these diseases;

NOW THEREFORE BE IT RESOLVED, that, I, Mayor Charles Herman and Committee Members of the Township of Delaware, County of Hunterdon, State of New Jersey do hereby proclaim September 27, 2020 CHILDHOOD CANCER AWARENESS DAY and urge all citizens of Delaware Township to recognize the seriousness of childhood cancers and to support the meritorious works of Children’s Hospital of Philadelphia Parkway Run and Walk and the St. Baldrick’s Foundation.

ATTEST:

By Order of the Township Committee

Maria Andrews, Township Clerk, RMC

Charles Herman, Mayor

Certification

I, Maria Andrews, Clerk of the Township of Delaware, in the County of Hunterdon, New Jersey do hereby certify that the foregoing is correct and a true copy of a Resolution adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on September 14, 2020.

Maria Andrews, Township Clerk, RMC

A motion by Waltman, seconded by Lockwood approving Resolution #2020-66 was unanimously approved by voice vote.

RESOLUTION #2020-67: ABC LICENSE RENEWAL – OLD CROTON BAR

Clerk Andrews noted that ABC had extended the renewal period to September 30th this year due to the COVID pandemic.

Resolution #2020-67

WHEREAS, the Township Committee of the Township of Delaware, County of Hunterdon and State of New Jersey has reviewed an application for renewal of a Plenary Retail Consumption license for the twelve month period ending June 30, 2021 for the following licensed premise:

Kingalo, Inc.
300 Old Croton Road
Flemington, NJ 08822
License #1007-33-001-009

WHEREAS, no timely written objection has been filed with the office of the Delaware Township Clerk related to this licensed premise.

NOW THEREFORE BE IT RESOLVED that the Delaware Township Committee does hereby grant a one-year renewal to the above listed licensed premise.

BE IT FURTHER RESOLVED that the Delaware Township Clerk is authorized to execute a license and to issue the license certificate to Kingalo, Inc.

ATTEST:

By Order of the Township Committee

Maria Andrews, Township Clerk, RMC

Charles Herman, Mayor

Certification

I, Maria Andrews, Clerk of the Township of Delaware, in the County of Hunterdon, New Jersey do hereby certify that the foregoing is correct and a true copy of a Resolution adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on September 14, 2020.

Maria Andrews, Township Clerk, RMC

A motion by Lockwood, seconded by Vocke to approve Resoluition #2020-67 was unanimously approved by voice vote.

NEW BUSINESS/OTHER

Discussion: Request from K. Klink to Hire a DPW Employee for the Delaware River Clean-Up on 9/19/20

Ms. Klink updated the Committee on the Delaware Clean-Up noting all of the volunteer spots have been filled and stated she just needs authorization for the DPW employee who has already been lined up. Ms. Klink also remarked that “shred day” resulted in 62 cars bringing 3 tons of paper to be shredded. Additionally she indicated 22 well sample kits have been provided so far.

It was noted for the record that the Committee expressed gratitude and support for all of Ms. Klink’s work and authorized the DPW employee to assist with the clean-up effort.

Discussion: C. Wheatley Eagle Scout Project

It was noted for the record that Curtis Wheatley of Ringoes Troop 65 is currently working on his Eagle Scout project and will be installing a flagpole at the Rosemont Cemetery for the purposes of flying the American Flag along with all of the U.S. branch flags on the yard-arm. Additionally, at the base of the flagpole there will be a small monument to honor the Veterans.

Mr. Wheatley had sent a letter to the Committee requesting the building permit fee be waived for this project.

A motion by Waltman, seconded Lockwood to waive the building permit fee for this Eagle Scout project was unanimously approved by roll call vote.

Kwasnik: Yes, Lockwood: Yes, Vocke: Yes, Waltman: Yes, Herman: Yes

Committeewoman Lockwood suggested Mr. Wheatley check to make sure the flagpole can support many types of flags noting the Delaware Township flagpole cannot accommodate the POW/MIA Missing in Action Flag.

Discussion: Request from Hope Farms HOA, re: Parking, Erosion and Street Cracks

Kathy Short of 6 Paulmier Road spoke on behalf of the Hope Farms HOA and expressed concern with the parking area off Route 29 that has been fenced off. She stated this has resulted in teenagers parking all along the entrance way to their development. She explained they are utilizing the rope swing and on occasion they have gotten rowdy which is affecting the resident’s privacy.

Ms. Short remarked that there is a towing company in Ringoes who is willing to put up “Tow Away Zone” signs but requested that instead, the Police increase their ticketing efforts.

Mayor Herman clarified that the NJDOT closed the parking section on Route 29 and stated the Township had nothing to do with it. He also informed the members of the public that no one has responded to Delaware’s inquiries on the closure.

There was some discussion on changing the fines within the ordinance. Mayor Herman noted that changing the ordinance would impact all parking throughout the Township and not just that within the Hope Farms development. He also noted the potential for guests of residents to get caught up in the ticketing because the Police won’t know who the cars parked on the streets actually belong to.

Mayor Herman commented that he is aware NJDOT is looking into creating additional parking in the Frenchtown and Bulls Island areas along Route 29 to help mitigate the influx of cars.

Patrick Miller of 17 Paulmier Road remarked that their neighborhood parking issues are not because of tubers and expressed that additional parking in Frenchtown and Bulls Island won’t help them. He stated this matter has been on-going for 3 years and wanted the Committee to understand the urgency in addressing the problem for the safety of the young children in the Hope Farms development.

Tina Borden of 245 Lambertville Headquarters Road suggested “Private Parking” signs be installed which would allow residents to call the Police and have the cars towed.

Ms. Short also commented on the inlet in the cul-de-sac area of the development that is sinking. Mr. Miller agreed and stated it is getting worse. Committeeman Kwasnik indicated he will reach out to DPW Director Trstensky about the inlet repair.

Mr. Miller thanked the Committee for their time.

OPEN TO THE PUBLIC

Laurie Cameron of 32 Sanford Road expressed annoyance with the fireworks event on Saturday night. She commented that they were the loudest fireworks she has ever heard and stated she wished she had been aware of the function so she could have secured her animals. Ms. Cameron remarked the event created a dangerous situation for her panicked animals and caused injuries to her dogs who fought and bit each other during the commotion. Ms. Cameron asked for the name of the Township’s insurance carrier and commented that, “recreation should not be at the expense of the residents.” She also requested that “low noise fireworks” be utilized in the future.

Lisa Suydam of 28 Sanford Road agreed that the fireworks were excessively loud. She also commented on Sanford Road being a racetrack now that it was repaved. She referred to an old study that was done with former Mayors Thompson and Johnson recommending the speed limit be reduced to 25 mph and asked when those signs can be posted. Mayor Herman remarked that he wasn’t sure if the former Mayor(s) could just lower the speed limit on a road and stated he will reach out to the Township Engineer and Chief Cane on the matter. Ms. Suydam suggested that if the speed limit cannot be reduced to 25 mph she would like additional signage installed with the current posted speed limit, stating there are several stretches of roadway with no signs. It was noted for the record that Chuck Cline supported this sentiment.

Mayor Herman commented that he was at the park and the fireworks were not that loud but recognized that he could hear the noise “rolling/echoing” behind them and suggested that it may have been an atmospheric pressure issue.

Roger Byrom of 7 Zentek Road remarked that The Bridge directed people to check the Township website for updates but there weren’t any. Mayor Herman commented that the Township did their best to get the word out. He said the fireworks event was published in The Bridge, on NJ.com, on the Township website and it was posted on social media.

Additionally Mr. Byrom asked if the clarification on the bond language regarding open space will be discussed. Mayor Herman noted it will be addressed later in the meeting.

Seeing no other members of the public come forward, Mayor Herman closed the floor to public comment.

FINAL COMMENTS OF THE TOWNSHIP COMMITTEE

Committeeman Kwasnik stated he will speak to DPW Director Trstensky about the issues raised this evening.

Committeewoman Lockwood asked about the status of a former request by a resident to have the speed limit on County Route 523 lowered. Mayor Herman noted he had spoken to the County Engineer who indicated he will conduct a speed study.

Committeeman Vocke suggested that the Township could mail a flyer to all of the residents who receive The Bridge with any relevant updated information on events.

Committeeman Waltman wanted to clarify the record again regarding the posts on social media about open space funds being used for fireworks. He stated that was not true, that Parks & Recreation sponsored the event. Additionally, he commented on a former discussion on bond covenants reviewed by the Township Attorney who indicated may prohibit a referendum. Committeeman Waltman also noted that a referendum would not occur until the General Election in 2021. He stated in the meantime, this matter can be discussed with Open Space and Parks & Recreation to determine what needs to be accomplished so the Township can then fully educate the residents on the issue.

Lastly, Committeeman Waltman stated there is a misconception about Dilts Park. He noted there are no infrastructure projects proposed and no swimming pool. He stated the Township simply wants to make the park a better place to play in. Mayor Herman added that a referendum would be the voice of the people and that the Committee would not solely, be making the decision. He encouraged people behind their screens to be responsible about what they are posting.

Mayor Herman commended Chuck Cline and Kathy Klink for pulling off a hybrid Zoning Board meeting that had in-person applicants as well as members of the public via ZOOM.

Mayor Herman stated a bid was received for the Lower Ferry Road paving project that was under the estimated cost and noted a \$100,000 grant will also be used for the project.

APPROVAL OF THE BILL LIST

A motion by Lockwood, seconded by Waltman to approve payment of the \$2,387,236.00 bill list was unanimously approved by roll call vote.

Kwasnik: Yes, Lockwood: Yes, Vocke: Yes, Waltman: Yes, Herman: Yes

ADJOURNMENT

A motion by Waltman, seconded by Kwasnik to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 8:57 PM.

Maria Andrews, Township Clerk, RMC

Charles Herman, Mayor

Approved: 9/28/20