



DELAWARE TOWNSHIP COMMITTEE
REGULAR MEETING MINUTES
October 13, 2020 – 7:30 PM

Mayor Charles Herman called the regular meeting of the Delaware Township Committee to order on October 13, 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" Ballots can be:
 1. Mailed via the United States Postal Service
 2. Placed in a Secure Ballot Drop Box
 3. Deliver Your Ballot in person to the County Board of Elections Office
 4. Bring Your Ballot (*no one else's*) to the Polling Location on Election Day

APPROVAL OF TOWNSHIP COMMITTEE MINUTES

A motion by Waltman, seconded by Lockwood to approve the Committee's 9/28/20 regular and executive session meeting minutes with no revisions noted was unanimously approved by voice vote.

TOWNSHIP COMMITTEE REPORTS

Committeeman Kwasnik noted he spoke with DPW Director Jay Trstensky and confirmed the stone and chip road projects are on schedule. The department will also be cleaning the ditches along the sides of the road.

Deputy Mayor Waltman noted he spoke with Township Engineer Roseberry regarding the speeding issues raised on Sanford Road. He indicated he will get the speed study report from Chief Cane and make a recommendation.

With regard to the intersection of Route 604 and Zentek Road, Deputy Mayor Waltman stated Chief Cane advised that he cannot pull data specific to that intersection but could provide a report showing how many tickets were issued on Route 604. He also noted that Police were at that location 56 times in the month September.

Committeewoman Lockwood noted that the Open Space Committee had not met and that the Pipeline Committee expects to meet this Thursday in-person with a call-in option. She also remarked that the deadline for the December edition of The Bridge is 10/31/20.

Committeeman Vocke stated he had nothing to update the Committee on.

Mayor Herman noted there will be a pumpkin carving contest at Dilts Park. Pumpkins should be carved at home and dropped off at the pavilion between 9:00 AM – 9:30 AM on Saturday 10/31/20. Residents are encouraged to cast their votes between 10:00 AM – 12:00 PM with prizes awarded for the following categories: Classic, scariest, funniest, most creative and 2020 theme. Winners will be announced at 12:30 PM.

OPEN TO THE PUBLIC (For Items Not on the Agenda)

Mayor Herman opened the floor to public comment for items not on the agenda.

Roger Byrom of 7 Zentek Road spoke up and remarked he wished to follow up on a previous conversation regarding the sidewalk from the school and what he referred to as the "inappropriately built historic stonewall." Mayor Herman explained the entire project, including the wall was approved by the

WHEREAS, the bids have been reviewed by the Township Engineer and a recommendation has been made that the contract be awarded to the lowest responsive and responsible bidder under Local Public Contracts Law, **Top Line Construction Corporation** and

WHEREAS, The Chief Financial Officer has certified the availability of funds for this project;

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

1. Authorization for construction of Lower Ferry Road Improvement project is hereby awarded to **Top Line Construction Corporation**.as provided in its proposal in the amount of **\$140,455.02**

2. Top Line Construction Corporation shall provide satisfactory proof of insurance and such documentation as requested.

3. The Delaware Township Mayor is hereby directed to sign for and on its behalf the proposal for MC Project No. DPT-127 submitted **by** Top Line Construction Corporation.

4. The Delaware Township Clerk of this body is hereby directed to seal said proposal with the corporate seal of this body and to attest to the same.

ATTEST:

Maria Andrews, Township Clerk, RMC

Charles Herman, Mayor

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

Diane Soriero McDaniel, CFO

I, Maria Andrews, Township Clerk, do hereby certify this to be a true copy of a resolution adopted by the Delaware Township Committee on October 13, 2020.

Maria Andrews, Township Clerk, RMC

RESOLUTION #2020-75: APPOINTING A (TEMPORARY) DEPUTY CLERK

Resolution #2020-75

WHEREAS, the Township Committee of the Township of Delaware, Hunterdon County, New Jersey desires to appoint a temporary Deputy Clerk for the purposes of being on-site for the 11/3/20 General Election; and

NOW THEREFORE BE IT RESOLVED that the governing body of Delaware Township hereby appoints Diane McDaniel as the Deputy Clerk, effective 10/14/20.

Certification

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Delaware Township Committee at a regular meeting of the Committee held on October 13, 2020.

Maria Andrews, Township Clerk, RMC

RESOLUTION #2020-76: DRIVEWAY BOND REFUND – BLOCK 44 LOT 15

Resolution #2020-76

WHEREAS, Richard Yard posted a driveway bond on November 20, 2018 in the amount of \$2,000.00 (check # 4515);

WHEREAS, after inspection on September 23, 2020 final approval of the driveway at 83 Yard Road, Block 44 Lot 15 was granted;

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 driveway bond in amount as of \$2,000.00;

Block 44, Lot 15

To: **Richard Yard**
58 Pine Hill Road
Stockton, NJ 08559

Driveway Bond Amount: **\$2,000.00**

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 check in the amount of \$2,000.00 to the property owner listed above.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided to Director of Public Works and the Chief Financial Officer.

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 true copy of Resolution #2020-76 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on October 13, 2020.

Maria Andrews, Township Clerk, RMC

A motion by Waltman, seconded by Vocke to approve Resolutions #2020-74, #2020-75 and #2020-76 was unanimously approved by roll call vote.

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

NEW BUSINESS/OTHER

Appointment: Joseph Benincasa to the Recreation Commission

A motion by Lockwood, seconded by Waltman to appoint Joseph Benincasa to the Recreation Commission was unanimously approved by voice vote.

Discussion: "March on Litter" Event

Mayor Herman explained this is the 29th year the Township clean-up event has taken place. This year due to COVID the Township cannot utilize the buses from Hunterdon Central so Ms. Klink is proposing to conduct the clean-up by "road" coordinated by "families" who will serve as Road Captains. It was noted that no county roads will be included in the clean-up effort. Mayor Herman thanked Ms. Klink for her creativity and dedication in keeping up with this annual event.

Any interested parties should contact Ms. Klink. Road Captains must sign up by 10/20/20 and participating families must sign up by 10/27/20.

It was noted for the record that the Committee wholeheartedly supported the March on Litter event.

OPEN TO THE PUBLIC

Roger Byrom of 7 Zentek Road spoke up again thanking the Committee for their follow up with Chief Cane regarding the speeding on Township roads and asked if they would support solar powered speed readers. Deputy Mayor Waltman commented that he will speak to Chief Cane and DPW Director Trstensky about this idea.

Chuck Cline of 139 Upper Creek Road spoke up commenting he appreciated copies of the resolutions being made available at this evening's meeting and asked if they could also be posted on the Township website. Clerk Andrews explained she did not believe it is a good policy to do so and noted if anyone asks for copies of anything that is listed on the agendas once they are posted, she will provide the documentation.

FINAL COMMENTS OF THE TOWNSHIP COMMITTEE

Mayor Herman commented that he would like to have a Proclamation for Raymond Vanden Berghe, Sr. to be presented to his family at an upcoming meeting for all of his dedicated service to the community. He also noted he met with the Scouts at Dilts Park and remarked Niece Lumber has been very generous in donating materials for their project. Committeewoman Lockwood asked for details on the project so she can include an article in The Bridge.

Mayor Herman noted the DPW had filled in the potholes on Lower Creek Road but commented they need to find a more permanent solution because the recent heavy rains has washed them out again.

Next, Mayor Herman stated he received a letter from a resident who lives in Rosemont and has regular flights going over his home. Apparently, a local flight school flies this path 270 times per week and since there are no FAA violations, nothing can be done about it. It was the consensus of the Committee to send a letter to the flight school asking them to consider spreading out their training flight patterns.

Lastly, Mayor Herman asked if the Committee wished to implement any guidelines on Halloween/Trick-or-Treating celebrations. It was noted the Committee will approve a resolution at their next meeting establishing a 10 PM curfew on Halloween, 10/31/20, consistent with what has been done in previous years.

APPROVAL OF THE BILL LIST

A motion by Waltman, seconded by Kwasnik to approve payment of the \$71,133.13 bill list was unanimously approved by roll call vote.

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

EXECUTIVE SESSION: Approval of Resolution #2020-77: To Enter into Executive Session for the Purpose of Discussing Personnel Matters/Contracts and Subjects Falling Under Attorney-Client Privilege

Resolution #2020-77

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this governing body is of the opinion that such circumstances presently exist,

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

The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.

The general nature of the subject matter to be discussed is as follows: Personnel/Contracts and subjects falling under Attorney-Client privilege. The discussion is anticipated to take approximately 30 minutes. Action may be taken.

It is intended at this time that the above stated subject matter will be made public when the matter has been resolved.

This resolution shall take effect immediately.

Maria Andrews, Township Clerk, RMC

A motion by Waltman, seconded by Vocke to approve Resolution #2020-77 and enter into Executive Session was unanimously approved by voice vote.

A motion by Waltman, seconded by Kwasnik to return to open session was unanimously approved by voice vote.

It was noted for the record that the Committee was in Executive Session from 8:14 PM – 9:10 PM.

Upon returning to open session a motion was made by Lockwood and seconded by Waltman to pay Acting Registrar Dee Higgins \$150.00 per month for covering in the absence of the Registrar. The motion was unanimously approved by roll call vote.

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

A motion was made by Waltman and seconded by Lockwood to pay Kathy Klink \$220.00 per month for covering the Clerk's Office until additional staff is hired. The motion 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 9:12 PM.

Maria Andrews, Township Clerk, RMC

Charles Herman, Mayor

Approved: 10/26/20