



DELAWARE TOWNSHIP COMMITTEE
REGULAR MEETING MINUTES
November 9, 2020 – 7:30 PM

Mayor Herman called the regular meeting of the Delaware Township Committee to order on November 9, 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/AGENDA REVIEW

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

Clerk Andrews noted Resolution #2020-87 was added to this evening's agenda: A Resolution Authorizing the Submission of a Grant Application under the Local Government Emergency Fund (CRF) Grant.

SPECIAL PRESENTATIONS

Mayor Herman recognized Alex and Ellen Jeyschune as the Township's "Volunteers of the Year 2020" for their commitment and coordination of the Shopping for Seniors Program during the COVID pandemic. He read the following letter into the record:

"On behalf of the Township Committee, I would like to congratulate you on being selected as Delaware Township's Volunteers of the Year for 2020. Your was a shining light in a difficult time. In your partnership with the Colalillo Family and Shop Rite of Flemington, you made life simpler and safer for our most vulnerable Senior Citizen residents.

Throughout the national health crisis beginning in March, we followed your efforts and stayed up to date on the service that you provided. The Township Committee recognizes the hard work that you both put into the coordination of the orders, the management of your team of volunteers, and the compassion with which you ran the entire program. We salute your heroic efforts in our community.

We also applaud the fact that the program reached out beyond Delaware Township, and aided senior citizens of Raritan, East Amwell, Readington and Kingwood Townships, as well as Flemington, Lambertville, New Hope, and Stockton. Through Shopping for Seniors, you and your team provided over 350 grocery orders in under 3 months – impressive work for sure!

While we understand that this was a team effort, the program was a success from the start thanks to your organization. In addition to converting a room in your home into a "Command Center", you rallied the troops, and led the program with a combination of tactical excellence and caring hearts.

We thank you both for your commitment to our Senior Citizens and our community."

Next, Mayor Herman recognized Diane McDaniel as the Township's "Employee of the Year 2020" for all of her hard work and dedication throughout the year. He read the following letter into the record:

"On behalf of the Township Committee, I would like to congratulate you on your award for Employee of the Year. Our entire community has benefitted from your hard work and efforts throughout this year.

In a year that presented many challenges, your leadership and teamwork was outstanding. We are all appreciative of your assistance with road projects, management of the personnel changes in both the Clerk's Office and the Construction Department, and your overall willingness to pitch-in to get the

work of the Township done and done well. We are also thankful for your enthusiasm and willingness to cover Election Day 2020 as Acting Clerk.

While you helped out with these issues that wouldn't ordinarily fall under your area, you continued to do an incredible job in your own role as CFO. You helped the Township for 2020 and beyond by achieving your QPA certification, and you prepared and presented a winning case for Standard & Poor's, which resulted in Delaware Township receiving an upgraded rating. When the Township Committee wished to keep taxes stable for our residents in this challenging year, you worked closely with us to develop a responsible annual budget that resulted in a net-zero tax increase to our residents.

Diane, we all appreciate your dedication to Delaware Township. Thank you for your continued service to our community. Congratulations on this recognition.

With sincere thanks from the Township Committee."

PROCLAMATION – Raymond Vanden Berghe

Mayor Herman read the following Proclamation into the record:

PROCLAMATION

WHEREAS, Raymond John Vanden Berghe was born on June 28, 1932 to Emeric and Elizabeth Vanden Berghe in Paterson, NJ; and

WHEREAS, Raymond and his wife, Patricia Black Vanden Berghe built their home and raised their children John, Barbara and Eric in Sergeantsville; and

WHEREAS, Raymond served his country honorably as a Second Lieutenant in the United States Marine Corps during the Korean War; and

WHEREAS, Captain Vanden Berghe served and protected the residents of New Jersey over the course of his more than thirty year career with the New Jersey State Police; and

WHEREAS, Raymond held prestigious roles for the United States Naval Academy as a Blue and Gold Officer and on Congressional Academic Selection Committees; and

WHEREAS, Raymond was a Life Member of the Sergeantsville Volunteer Fire Company and an active 50 year member of the Sergeantsville United Methodist Church; and

WHEREAS, Raymond dedicated his time and leadership to the guidance and education of countless young men through his tireless commitment to the Boy Scouts of America, culminating in his recognition with the very high honor as a Distinguished Eagle Scout; and

WHEREAS, the Township of Delaware wishes to pause and remember Raymond Vanden Berghe as the embodiment of commitment to one's family, faith, community and country

NOW THEREFORE, BE IT RESOLVED, that Delaware Township, Hunterdon County, in the State of New Jersey, hereby honors the life and legacy of RAYMOND JOHN VANDEN BERGHE, and recognizes his exemplary life of service and his lasting impact on the many lives he touched.

Duly Adopted on this 9th day of November 2020

Charles Herman, Mayor, Delaware Township

ANNOUNCEMENTS

- Free Rabies Clinic is Saturday 12/5/20 from 10 AM – 12 PM at the Township DPW Garage
- The Next Township Committee Meeting is 11/30/20 because there are "5" Mondays in the Month

APPROVAL OF TOWNSHIP COMMITTEE MEETING MINUTES

A motion by Lockwood, seconded by Waltman to approve the Committee's 10/26/20 Regular and Executive Session minutes with no revisions noted was approved by voice vote with Committeeman Kwasnik abstaining.

TOWNSHIP COMMITTEE LIAISON REPORTS

Committeeman Kwasnik noted that the DPW will be installing snow fencing throughout the Township in the next few weeks.

Deputy Mayor Waltman noted that he confirmed with the Township Engineer that a speed study can in fact result in a speed being increased on a roadway if that is what the data supports. Mayor Herman clarified that the Committee would be diligent in creating speed limits dictated by the specific conditions of the road in question. CFO McDaniel clarified that the Township Engineer stated the Township “cannot use an ordinance to control traffic.”

Committeewoman Lockwood noted that there was no Pipeline Committee meeting this month and stated the “March on Litter” event was a success. Mayor Herman remarked that Kathy Klink did a wonderful, creative job to make it happen.

Mayor Herman also updated the Committee on the Recreation Commission hosting a holiday lights contest for local residents. Additionally, he noted a local family expressed that they would like to donate a holiday tree for the Village green area and has been in touch with the Shade Tree Commission regarding this. Committeewoman Lockwood remarked that the Committee may want to consider representing all religions in the Village green area if a tree is put up.

Next, Mayor Herman noted that Clerk Andrews had created a COVID screening form for all employees to utilize in compliance with Governor Murphy’s recent Executive Order. A motion by Lockwood, seconded by Waltman recommending that each department maintain their own respective daily COVID screening forms electronically was unanimously approved by voice vote.

OPEN TO THE PUBLIC

Mayor Herman opened the floor to public comment for any items not listed on the agenda. Seeing no members of the public come forward, he closed the floor to public comment.

Attorney Tauriello expressed that he believes the agenda should reflect Open to the Public for items “on the agenda” because in the event anyone has comments regarding an agenda item, they can express them prior to any action being taken on a specific matter.

APPROVAL OF RESOLUTIONS #2020-82, #2020-83, #2020-84, #2020-86 & #2020-87

A motion by Waltman, seconded by Lockwood to approve the following resolutions by consent agenda was approved by roll call vote.

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

Resolution #2020-82

WHEREAS, per Township Tax Assessor, in 2020 Delaware Township was conveyed property known as Block 12, Lot 17, Q0144 (\$61.97), Block 12, Lot 18 Q0144 (\$2.64), Block 12, Lot 19 Q0144 (\$29.01), and Block 12, Lot 22 Q0144 (\$2.64) formerly owned by Cisek, Joseph, and

WHEREAS, taxes were paid current at time of sale and the property became exempt from taxation for 3rd and 4th quarter 2020 billing; and

WHEREAS, these taxes should be cancelled of record.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Delaware County of Hunterdon and State of New Jersey that the above taxes be cancelled and the records of the Tax Collector be adjusted accordingly.

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

ATTEST:

Charles Herman, Mayor

Maria Andrews, Township Clerk, RMC

Danene L. Gooding, CTC
Tax Collector

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 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on November 9, 2020.

Maria Andrews, Township Clerk, RMC

Resolution #2020-83

WHEREAS, the Township Engineer, by memorandum dated October 28, 2020 (a copy of which is attached), has recommended the acceptance of a Maintenance Bond under the terms of the contract with Capital Paving and Contracting for the Sanford Road Improvement Project;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delaware that the following Maintenance Bond be accepted:

Bond No. S-3306271 \$39,995.45
(NGM Insurance Company)

BE IT FURTHER RESOLVED that the following payment be authorized in accordance with the Township Engineer's memorandum dated October 28, 2020, a copy of which is attached:

Contract award amount \$295,686.12
Percentage of work completed 100%
Payment Summary:
Total (final) amount of work completed \$266,636.34
Amount paid payment request no. 1 \$ 261,303.61
Amount Due Final Payment-Retainage \$ 5,332.73

Capital Paving and Contracting, LLC.
1225 Route 31 South
Building A, Suite 124
Lebanon, NJ 08833

ATTEST: November 9, 2020

Maria Andrews, Township Clerk, RMC

Charles Herman, 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.

Diane S. McDaniel, CFO

Resolution #2020-84

BE IT RESOLVED by the Township Committee of the Township of Delaware that Contract Payment #1 less a 2% retainage fee authorized in accordance with the Messercola Excavating Co. Inc. correspondence dated October 28, 2020, a copy of which is attached for the **Rosemont Ringoes Road Sidewalk Project**:

1st Payment		181,505.20
Less Retainage	(2%)	(3,630.10)

Amount Due Payment Request final: \$ 177,875.10

Messercola Excavating Co., Inc.
549 E. 3rd Street
Plainfield, NJ 07060

ATTEST: November 9, 2020

Maria Andrews, Township Clerk, RMC

Charles Herman, 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 Account and Current Account.

Diane S. McDaniel, CFO

**Resolution #2020-86
TOWNSHIP OF DELAWARE
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

Appointment of Deputy Clerk

WHEREAS, Delaware Township was seeking to hire a Deputy Clerk; and

WHEREAS, the Interview Committee spoke with several candidates who applied for the position; and

WHEREAS, the Delaware Township Committee believes Tiffany Crivelli is the best candidate for the position; and

WHEREAS, the Township Committee wishes to hire Tiffany Crivelli on November 23, 2020 in accordance with the following agreed upon terms:

- Starting salary for the positions will be \$40,000 per year based on a 35-hour work week.
- Eligibility for vacation, sick, and personal time off which are all accrued based on a 3.5 hours per month worked. Vacation days accrued at a rate of 3.5 hours per month worked. Sick days are accrued at a rate of one day per month for a maximum of 12 days per calendar year. Personal days are also accrued at a rate of one day per month for a maximum of 4 per calendar year all in accordance with the Delaware Township personnel manual.
- Eligibility for Healthcare Benefits upon start date.
- Notary Public and Registrar certifications must be obtained within 6 months of hire date

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of Delaware Township hereby appoints Tiffany Crivelli as the Township's Deputy Clerk, with the appointment being effective as of November 23, 2020.

By Order of the Township Committee

Charles Herman, Mayor

Attest: November 9, 2020

Maria Andrews, Township Clerk, RMC

NO. 2020-87

ADOPTED: November 9, 2020

RESOLUTION AUTHORIZING SUBMISSION OF A GRANT APPLICATION UNDER THE LOCAL GOVERNMENT EMERGENCY FUND (CRF) GRANT

WHEREAS, as the public health emergency associated with the COVID-19 pandemic continues, the most significant negative financial impacts faced by county and municipal governments throughout New Jersey result from extreme economic contraction, deficits in tax and fee revenues, and extraordinary increases in public safety and health and human services expenditures; and

WHEREAS, severe fiscal stress limits the ability of counties and municipalities to maintain essential services and take the steps necessary to fight COVID-19; and

WHEREAS, without substantial federal assistance, residential taxpayers would absorb the primary impact of meeting these extraordinary needs and closing any associated operating deficits; and

WHEREAS, the Department of Community Affairs (“DCA”), through the Division of Local Government Services (“DLGS” or “Division”), has been deemed the lead agency for the distribution of the Local Government Emergency Fund (the “LGEF” or “Program”), provided through an allocation of the State of New Jersey’s CARES Act Coronavirus Relief Fund (CRF Funds); and

WHEREAS, counties and municipalities excluded from the federal government’s direct CRF allocation plan, as well as those counties and municipalities that are currently the most impacted by COVID-19 in comparison to their available resources, are eligible for LGEF funds pursuant to a maximum distribution determined by formula; and

WHEREAS, a total of \$60 million is currently being made available under the Program, with a potential \$60 million more to be allocated; and

WHEREAS, LGEF Grants exist to support costs incurred as part of a local unit’s response to COVID-19.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Delaware in the County of Hunterdon, that the Township of Delaware will apply for a LGEF Grant in an amount not to exceed \$20,581.

ATTEST:

Maria Andrews, Township Clerk, RMC

Charles Herman, Mayor

I, Maria Andrews, Township Clerk of the Township of Delaware, County of Hunterdon, do hereby certify this to be a true copy of a Resolution adopted by the Township of Delaware on November 9, 2020.

Maria Andrews, Township Clerk

NEW BUSINESS/OTHER

Acknowledgement of Delaware Open Space Improvement and Maintenance Plan

Committeewoman Lockwood suggested the language in the plan referencing a community swimming pool be deleted. Committeeman Waltman remarked that the plan doesn’t seem to conform with the way residents are taxed in the Township. CFO McDaniel commented that the plan is designed to position Delaware to be able to receive county funding. Committeewoman Lockwood added that the Recreation Plan Element is needed specifically for establishing Green Acres Open Space funding.

CFO McDaniel noted that Delaware is one of the first municipalities to file an Open Space Plan with the County which will enable the Township to utilize funding for maintenance as well as preservation. Committeeman Waltman referred to the Ash tree blight noting the Township ran out of money to remove all of the dead trees and expressed the importance of having flexibility in utilizing the funding.

Mayor Herman suggested the Finance Committee and CFO McDaniel reach out to Open Space Secretary Katherine Fullerton to discuss who is responsible for allocating the funding under the plan.

Attorney Tauriello suggested the plan establish a “punch list” of items the Committee wishes to utilize the funding for and establish clear parameters for ADA compliance and Delaware Township residents to ensure the Committee isn’t inadvertently opening up properties for use by other entities.

Acknowledgement of 2020 Best Practices Inventory

CFO McDaniel noted the BPI hit a score of 22.5 points which makes Delaware eligible for full funding. Mayor Herman thanked her for all of her efforts in obtaining such a high score.

Appointment: Possible Appointment of a Planning Board Member

Mayor Herman commented that he still has not heard back from the candidate and doesn't wish to make an appointment if they aren't interested in serving on the Board. It was noted for the record that this matter will be placed on hold.

OPEN TO THE PUBLIC

Mayor Herman opened the floor to public comment. Chuck Cline of 139 Upper Creek Road spoke up asking if there will be a Pipeline Meeting this month. Committeewoman Lockwood said yes. He also suggested a speed study on the "curves" of Sanford Road be done, not the straight-a-ways. Committeeman Waltman noted he will speak to Chief Cane about the matter.

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

FINAL COMMENTS OF THE TOWNSHIP COMMITTEE

Committeewoman Lockwood commented that subsidizing the Township budget is not the purpose of open space funding.

Committeeman Waltman noted that Dilts Park is part of open space and he stated he would like to see the utilization of open space funding be flexible. Additionally, he congratulated Mayor Herman and Committeewoman Lockwood on winning the election.

Mayor Herman noted that the Police Department personnel have suspended shaving in order to participate in "No Shave November" promoting Cancer awareness.

APPROVAL OF THE BILL LIST

A motion by Lockwood, seconded by Waltman to approve payment of the \$197,386.29 bill list was unanimously approved by roll call vote.

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

EXECUTIVE SESSION: Approval of Resolution #2020-85: To Enter into Executive Session for the Purpose of Discussion Contracts and Subjects Falling Under Attorney-Client Privilege – *The discussion is expected to take approximately 30 minutes. Action may be taken.*

A motion by Waltman, seconded by Vocke to approve Resolution #2020-85 and enter into Executive Session was unanimously approved by roll call vote.

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

Resolution #2020-85

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:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows: Contracts and subjects falling under Attorney-Client privilege. The discussion is anticipated to take approximately 30 minutes. Action may be taken.
3. It is intended at this time that the above stated subject matter will be made public when the matter has been resolved.
4. This resolution shall take effect immediately.

Maria Andrews, Township Clerk, RMC

A motion by Lockwood, seconded by Waltman to return to Open Session was unanimously approved by roll call vote.

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

It was noted for the record that the Committee was in Executive Session from 8:30 PM – 9:43 PM.

ADJOURNMENT

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

The meeting adjourned at 9:44 PM.

Maria Andrews, Township Clerk, RMC

Charles Herman, Mayor

Approved: 11/30/20