



DELAWARE TOWNSHIP COMMITTEE
REGULAR MEETING MINUTES
September 13, 2021 7:30 PM
In Person

Mayor Waltman called the regular meeting of the Delaware Township Committee to order on September 13, 2021 at 7:30 PM. Mayor Waltman 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 5, 2021.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

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

APPROVAL OF TOWNSHIP COMMITTEE MEETING MINUTES

The 8/9/2021 Minutes were tabled until the October meeting.

TOWNSHIP COMMITTEE LIAISON REPORTS

Mayor Waltman noted that most of the roadways that had been damaged from Hurricane Ida had been re-opened.

Mayor Waltman advised that the Township Engineer along with a NJDEP representative would be meeting on Tuesday to examine the creek along Lower Creek Road and decide on the best course of action with three proposed solutions to consider.

Mayor Waltman stated that JCP&L has a tree crew that is going to start removing the Ash trees on Lower Creek Road. An agreement was made with JCP&L to cut the trees with the Township DPW assisting with the removal.

Mayor Waltman stated that FEMA is interested in the homes located on Worman Road and that CFO McDaniel would be looking into the available options.

OPEN TO THE PUBLIC

Mayor Waltman opened the floor to public comment for any items listed on the agenda.

The following residents expressed some concerns and recommendations regarding the damages to Lower Creek Road and the surrounding area:

John Pearlman, 106 Lower Creek Road
Lynn Hulme, 208 Lower Creek Road
Sparrow King, 48 Locktown School Road
Gail Conover, 60 Covered Bridge Road
Wayne Conover, 60 Covered Bridge Road
Vince Mazzei, 168 Lower Creek Road
Gary Woodward, 122 Lower Creek Road
Yitzhak Loria, 212 Lower Creek Road

Bridgette Sullivan, 197 Locktown Flemington Road, commented on speeding and debris on roadways.

Chuck Cline, 22 Reading Road, commented on the correspondences on the agenda.

Hearing no other members of the public speak up, Mayor Waltman closed the floor to public comment.

INTRODUCTION/PUBLIC HEARING ON ORDINANCES

Introduction to Ordinance #2021-10

Mayor Waltman read Ordinance No. 2021-10 by title.

**Delaware Township
Ordinance No. 2021 – 10**

**AN ORDINANCE ESTABLISHING A GREEN TEAM
PURSUANT TO SUSTAINABLE NEW JERSEY**

WHEREAS, the Township Committee of the Township of Delaware, County of Hunterdon, State of New Jersey, strives to save tax dollars, assure clean air and water, improve working and living environments, and build a community that is sustainable economically, environmentally, and socially; and

WHEREAS, the Township Committee of the Township of Delaware wishes to build a model of government which benefits its residents with green community initiatives which are environmentally and economically sound, easy to replicate, and affordable to implement; and

WHEREAS, Sustainable New Jersey was formed as a certification program for municipalities in New Jersey that endeavor to “go green, save money and take steps to sustain their quality of life over the long term”; and

WHEREAS, pursuant to N.J.S.A 40:56A-1 et. seq and Township Ordinance, the Township of Delaware created an Environmental Commission whose charge per said State law and Ordinance is to among other things protect, sustain, properly utilize and develop natural resources; and

WHEREAS, in an attempt to focus on green issues, the Township Committee of Delaware Township wishes to establish a Green Team as a sub-committee of the Environmental Commission to maximize the efficiency of the Environmental Commission and avoid overlap and duplication of efforts between the Green Team and Environmental Commission.

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

SECTION 1. Establishment

Current members of the Environmental Commission who are dedicated to the sustainability of the community and known as the Green Team, appointed by the Township Committee annually at their Re-Organization Meeting.

SECTION 2. Purpose

- a. To educate and encourage all Township employees, residents, and businesses to participate in green initiatives.
- b. To collaborate with public and private green committees to ensure the replication of best practices and to ensure a coordinated effort within Delaware Township and with neighboring communities;
- c. Provide suggestions for further research and action to the Township Committee.
- d. To facilitate the successful completion of the requirements for certification of Sustainable Jersey and manage Delaware Township’s participation in the Sustainable New Jersey program.

SECTION 3. Membership; Terms

- a. The Green Team will consist of members of the Delaware Township Environmental Commission, and can also have 1 Township Committee member, and 1 representative from the Department of Public Works.
- b. The regular members of the Green Team shall be persons who reside in Delaware Township, who hold no other elective or appointed office under the Township, and are members in good standing on the Environmental Commission.
- c. The Chairman of the Environmental Commission shall serve as Chairman and presiding officer.
- d. The Full Term of office for each regular member shall coincide with the term on the Environmental Commission.
- e. A vacancy occurring otherwise than by an expiration of a term shall be filled for the unexpired term only.
- f. The Township Committee may remove any member for cause, on written charges served upon the member and after a hearing thereon at which the member shall be entitled to be heard in person or by counsel.

SECTION 4. If any sentence, section, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

SECTION 5. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 6. This ordinance shall take effect upon passage and publication as required by law.

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held September 13, 2021. It will be considered on second reading for final adoption at a regular meeting to be held October 12, 2021, 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.

A motion by Lockwood, seconded by Vocke to introduce Ordinance #2021-10 and move forward with a public hearing set for October 12, 2021 on Ordinance #2021-10 was approved by roll call vote.

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

Introduction to Ordinance #2021-11
Mayor Waltman read Ordinance No. 2021-10 by title.

**Delaware Township
Ordinance No. 2021 – 11**

**An Ordinance by The Township of Delaware in Hunterdon County, New Jersey Amending
Section 7-3 Of The Delaware Township Municipal Code to Include Permit Parking in
Designated Areas**

WHEREAS, residents of Delaware Township have been negatively impacted by non-resident parking in certain residential communities;

WHEREAS, certain communities have Home Owner's Associations (HOA) that wish to seasonally regulate parking within their community for the general health safety and wellbeing of its residents;

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

1. Section 7-3 of the Delaware Township Municipal Code is hereby amended by adding a new paragraph (10) entitled 7-3-10 Parking by Permit Only which states as follows: "No person shall park a vehicle upon Palmier Road, or any part thereof, from April 1 through and including October 31 each year without first obtaining a parking permit issued through the HOA and visibly displayed within the vehicle. Any person convicted of violating the provisions of this chapter shall be liable to a penalty of \$50.00"
2. Any article, section, paragraph, subsection, clause, or other provision of the Delaware Township Code that is inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.
3. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.
4. This ordinance shall take effect upon its passage and publication and filing with the Hunterdon County Planning Board, and as otherwise provided for by law.

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held September 13, 2021. It will be considered on second reading for final adoption at a regular meeting to be held October 12, 2021, 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.

A motion by Herman, seconded by Lockwood to introduce Ordinance #2021-11 and move forward with a public hearing set for October 12, 2021 on Ordinance #2021-11 was approved by roll call vote.

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

RESOLUTIONS #2021-74 - #2021-76
Delaware Township Resolution 2021-74
DTSPIE Raffle License

WHEREAS, an application has been received for the Township of Delaware to grant a raffle license; and

WHEREAS, no objections have been received by the Clerk of the Township, nor were any objections made at the meeting.

NOW, THEREFORE BE IT RESOLVED, the that raffle license be granted to the following:

TO:	Delaware Township School Partners in Education Inc.
BENEFIT:	To raise funds to support enriching opportunities for students at Delaware Township School
DATE:	October 10, 2021
TIME:	12:00pm – 6:00pm
LOCATION:	8 Federal Twist Road Stockton, NJ 08559

I hereby certify this to be a true copy of a Resolution adopted by the Delaware Township Committee at their meeting held on September 13, 2021.

Maria Andrews, Township Clerk, RMC

Approved: September 13, 2021

Delaware Township Resolution #2021-75
Fireworks at Sarah Dilts Park

WHEREAS, the Delaware Township Recreation Commission has requested permission to have Garden State Fireworks, Inc. hold a fireworks display for the Delaware Township Fall Fireworks at Sarah Dilts Farm Park on September 18, 2021 (rain date September 19, 2021), in the amount of \$6,900.00 (excluding Fire Permit Fees); and

WHEREAS, the Delaware Township Recreation Commission has requested permission to have tailgating by adults of legal drinking age between the hours of 5:00 pm and Dusk at the Fall Fireworks at Sarah Dilts Farm Park; and

WHEREAS, the Delaware Township Recreation Commission has requested permission to extend the hours of use of the park beyond the Dusk closing time to permit the enjoyment of the fireworks; and

WHEREAS, the Township Committee believes that it is appropriate to grant permission for such display and requests, 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 Fall Fireworks at the Sarah Dilts Farm Park on September 18, 2021 (rain date September 19, 2021) 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; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Township Committee of the Township of Delaware that permission is granted to allow tailgating at the Fall Fireworks at Sarah Dilts Farm Park on September 18, 2021 (rain date September 19, 2021) and permit adults of legal drinking age to transport and consume alcoholic beverages to be limited to beer and/or wine, and whom shall not provide, disseminate, or distribute any alcoholic beverage to an under-age person; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Township Committee of the Township of Delaware that permission is granted to extend the hours of use of Sarah Dilts Farm Park beyond Dusk on September 18, 2021 (rain date September 19, 2021) for the Fall Fireworks.

ATTEST:

Maria Andrews, Township Clerk, RMC

James Waltman, Mayor

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, Principal Inspector of the New Jersey Department of Community Affairs - Division of Fire Safety, and the Somerset County Joint Insurance Fund.

Approved: September 13, 2021

**Delaware Township Resolution #2021-76
Refund Driveway Bond**

WHEREAS, Robert Stadnik posted a driveway bond on May 12, 2020 in the amount of \$2,000.00 (check # 451);

WHEREAS, after inspection on August 16, 2021 final approval of the driveway at 169 Lambertville Headquarters Road, Block 57 Lot 3.01 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 57, Lot 3.01
To: Robert Stadnik
11 Indian Creek Road
Annandale, NJ 08801

Driveway Bond Amount: \$2,000.00

NOW, THEREFORE, BE IT FURTHER 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.

ATTEST:

Maria Andrews, Township Clerk, RMC

James Waltman, 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 #2021-76 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on September 13, 2021.

Maria Andrews, Township Clerk, RMC

Approved: September 13, 2021

A motion by Herman, seconded by Vocke to approve Resolutions #2021-74-76 was approved by roll call vote.

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

NEW BUSINESS/OTHER

Mayor Waltman noted that Josh Petrucelli passed away almost two months ago and the plaque would be to honor his memory and ideologies next to the tree he and his family bought and planted at the Village Green. It was noted that the plaque estimate came to \$250 which is \$50 over budget.

A motion by Herman, seconded by Lockwood to approve the cost of the plaque up to \$250 was unanimously approved by roll call vote.

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

The Committee recognized the resignation of T. Drews as Vice Chair of the DTMUA as well as his other positions on various boards and commissions with the Township. Mayor Waltman stated he will be greatly missed and wished him well in his new endeavors.

The Committee agreed to hold a special meeting on September 27th focusing on the damages throughout the Township from Hurricane Ida.

Committeeman Herman inquired on a way for the Township Committee to preview The Bridge newsletter before it is published and distributed since it is a reflection of the Township. Committeewoman Lockwood stated an outline can be provided of intended topics a month prior. Township Attorney Tauriello stated that the entire Township Committee should all see it prior to finalizing. Mayor Waltman agreed and requested a copy be emailed to him for review. The Committee agreed with the Mayor.

OPEN TO THE PUBLIC

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

Jes Stahl, 38 Dunkard Church Road, commented on The Bridge being electronic and live-stream option.

Natalie Gallenano, realtor for 22 Biser Road, asked about the Cannabis regulations.

Chuck Cline, 22 Reading Road, commented on The Bridge and HAEC.

Kathy Klink, 155 Ferry Road commented on upcoming Township activities

Unidentified Resident, thanked the Township Committee for the Township providing dumpsters.

Hearing no members of the public speak up, Mayor Waltman closed the floor to public comment.

FINAL COMMENTS OF THE TOWNSHIP COMMITTEE

Committeewoman Lockwood stated that she is unsure at this time as to what is happening with the Pipeline, but they are preparing as one large concern is for them going under the Wickecheoke Creek.

Committeewoman Lockwood also noted the Green Team Meeting moved to September 28th and that Open Space would be meeting next week, having not had a meeting in August.

Committeeman Herman noted that the Recreation Commission will have the block party on October 2nd.

Committeeman Herman stated that the Personnel Committee is meeting with someone interested in the Open Space Coordinator positions for East Amwell and Delaware Township. He noted this would be a shared service.

Committeeman Herman also reminded everyone that there are to be no campaigns or other events on Township property without the proper permits and prior approvals.

Mayor Waltman noted that there were recently a lot of emotions expressed on Facebook with residents. Mayor Waltman stated that the Committee is here to help everyone and try and find solutions, and the rude comments and accusatory statements are frustrating. Mayor Waltman noted, however, he was pleased to see the residents come together to arrange donations and help others and he is proud to represent what he considers the greatest Township in New Jersey.

APPROVAL OF THE BILL LIST

A motion by Lockwood, seconded by Herman to approve payment of the \$2,377,940.09 bill list was unanimously approved by roll call vote.

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

EXECUTIVE SESSION: Approval of Resolution #2021-77: To Enter into Executive Session for the Purpose of Discussing Contracts and Subjects Falling Under Attorney-Client Privilege – *The discussion is expected to take approximately 30 minutes. Action may be taken.*

A motion by Herman, seconded by Lockwood to approve Resolution #2021-77 and enter into Executive Session was unanimously approved by roll call vote.

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

Resolution #2021-77

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:

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, Personnel Matters, 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 Herman 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 9:16 PM – 9:48 PM.

ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION

A motion by Lockwood, seconded by Vocke, to authorize the Township Attorney to proceed as agreed upon in Executive Session was unanimously approved by voice vote.

ADJOURNMENT

A motion by Herman, seconded by Vocke to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 9:50 PM.

Tiffany Crivelli, Deputy Clerk

James Waltman

Approved: October 12, 2021