



**DELAWARE TOWNSHIP COMMITTEE**  
**REGULAR MEETING MINUTES**  
**October 12, 2021 7:30 PM**  
**In Person**

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Mayor Waltman called the regular meeting of the Delaware Township Committee to order on October 12, 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 Dan Kwasnik, 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**

Committeewoman Lockwood reported that the PennEast Pipeline is dead. Committeewoman Lockwood noted that there was one property that had wanted to preserve their land and could not due to the pipeline, so Open Space will be reaching out to them.

Committeewoman Lockwood stated the Shade Tree Commission had a meeting and noted Ash trees by the playground that are dead and need to be removed. Committeewoman Lockwood also noted that the Shade Tree Commission may be able to replace the trees

Committeewoman Lockwood stated the Environmental Committee held its 30<sup>th</sup> annual March on Litter and had a huge turnout. Committeewoman Lockwood noted it was very well organized by Kathy Klink and the Delaware Township School.

Committeeman Herman reported that the Recreation Commission block party went well and that the Fire Department did well from donations at the grill.

Committeeman Herman noted that the Girl Scouts and Boy Scouts are looking for donations of non-perishable food items for Thanksgiving to give to families in need.

Mayor Waltman noted there was a complaint on Facebook regarding an incident with a cat and animal control on June 19, 2021 and that animal control had investigated, but the cat got away. Mayor Waltman stated the Board of Health should be advised.

**OPEN TO THE PUBLIC**

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

Jan Weber – 37 Buchanan Road, Stockton, NJ, spoke about her concerns with animal control.

Gail Conover – 60 Covered Bridge Road, Stockton, NJ, voiced her concerns regarding the Rittenhouse Road Project

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

**INTRODUCTION/PUBLIC HEARING ON ORDINANCES**

Public Hearing Ordinance #2021-10

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

**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.

A motion by Herman, seconded by Vocke to open public comment on Ordinance #2021-10 was unanimously approved by voice vote.

Hearing no members of the public speak up, a motion by Herman, seconded by Vocke to close public comment on Ordinance #2021-10 was unanimously approved by voice vote

A motion by Herman, seconded by Vocke to adopt Ordinance #2021-10 was approved by roll call vote.

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

Public hearing on Ordinance #2021-11

Mayor Waltman read Ordinance No. 2021-11 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.

A motion by Herman, seconded by Vocke to open public comment on Ordinance #2021-11 was unanimously approved by voice vote.

Gail Conover, Covered Bridge Road, inquired to the location of the permit parking.

Hearing no other members of the public speak up, a motion by Herman, seconded by Vocke to close public comment on Ordinance #2021-11 was unanimously approved by voice vote

A motion by Lockwood, seconded by Herman to adopt Ordinance #2021-11 was approved by roll call vote.

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

**RESOLUTIONS #2021 81 - 85**

**Delaware Township Resolution #2021-81  
Cancellation of Tax Title Lien Certificate #2019-003**

**WHEREAS**, the Delaware Township Tax Collector held a tax sale on June 11, 2019; and

**WHEREAS**, at said sale tax lien #2019-003, Block 32, Lot 19, 78 Kingwood Stockton Rd., For Assessed Owner: Davis, Timothy Owen, was struck off to the municipality; and

**WHEREAS**, payment has been received by the Tax Collector for redemption of said tax title liens in the amount of \$19,714.44;

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Delaware, County of Hunterdon, State of New Jersey, that the Mayor and Township Clerk be authorized to endorse for cancellation Tax Title Lien Certificate #2019-003;

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution be provided to the Tax Collector.

ATTEST:

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

\_\_\_\_\_  
James Waltman, Mayor

\_\_\_\_\_  
Danene 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 #2021-81 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on October 12, 2021.

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

Approved: October 12, 2021

**Delaware Township Resolution #2021-82  
Filling for Quarry License Application**

**WHEREAS**, the 10-Year Quarry License Application process is starting for Trap Rock Industries, LLC; and

**WHEREAS**, Tiffany Crivelli was appointed Quarry Compliance Licensing Liaison on August 5, 2021 to handle the 10-Year Quarry License Application for Trap Rock Industries, LLC.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee authorizes a payment of \$5,000.00 to Tiffany Crivelli for her services as Quarry Compliance Licensing Liaison.

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 #2021-82 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on October 12, 2021.

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Maria Andrews, Township Clerk, RMC

Approved: October 12, 2021

**Delaware Township Resolution #2021-83  
2020 Audit**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A-5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations

And;

WHEREAS, the members of the Delaware Township Committee have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations

as evidenced by the group affidavit form of the Township Committee; and

WHEREAS, such resolution of certification shall be adopted by the Township Committee no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the Township Committee have received and familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey as stated aforesaid and have subscribed to the affidavit as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgation of the Local Finance Board of the State of New Jersey may subject the members of the Township Committee to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, and in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Delaware, County of Hunterdon and State of New Jersey hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 #2021-83 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on October 12, 2021.

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

Approved: October 12, 2021

**Delaware Township Resolution #2021-84  
2020 Corrective Action Plan**

**CORRECTIVE ACTION PLAN  
2020 AUDIT**

**No Recommendations**

This Corrective Action Plan, which outlines action Delaware Township will take to correct findings listed above, was prepared in accordance with Federal and State requirements.

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 approves this Corrective Action Plan.

BE IT FURTHER RESOLVED that a copy of this plan will be submitted to the Division of Local Government Services, placed on file and made available for public inspection in the office of the Delaware Township Clerk.

Certified this 12th day of October 2021:

\_\_\_\_\_  
Diane Soriero McDaniel, CFO, CTC, QPA

ATTEST:

\_\_\_\_\_  
Maria Andrews, Township Clerk, RMC

\_\_\_\_\_  
James Waltman, Mayor

Approved: October 12, 2021

**Delaware Township Resolution #2021-85  
2021 Halloween**

WHEREAS, The Delaware Township Committee has set "Trick or Treat" night for 2021 to be held on Saturday, October 31, 2021; and,

WHEREAS, it is the desire of the Delaware Township Committee to discourage loitering and wanton and malicious damage in the Township and establish a curfew.

NOW, THEREFORE, BE IT RESOLVED, that the Delaware Township Committee wishes to set a 10:00 PM curfew effective from October 29, 2021 thru October 31, 2021, during which time, all persons under the age of eighteen (18), unless accompanied by an adult responsible for them, must be off the streets and public ways of Delaware Township. Parents are advised and reminded that they can their children will be held responsible for the actions of said juveniles in the manner provided by law.

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 #2021-85 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on October 12, 2021.

Maria Andrews, Township Clerk, RMC

Approved: October 12, 2021

A motion by Herman, seconded by Vocke to approve Resolutions #2021-81 - 85 was approved by roll call vote.

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

**Delaware Township Resolution #2021-87  
Salary & Wages – Gym Instructor**

WHEREAS, the Township Committee of the Township of Delaware, Hunterdon County, State of New Jersey desires to hire a Gym Instructor at the recommendation of the Recreation Committee; and,

WHEREAS, the Township Committee desires to set a 2021 salary for the Gym Instructor Township employee not covered under collective bargaining agreements.

NOW, THEREFORE, BE IT RESOLVED by the Delaware Township Committee that the salary for the position of Delaware Township Gym Instructor employee is established as follows:

Brant Switzler, Gym Instructor / Tennis	\$1,200
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ATTEST:

VOID VOID VOID VOID

VOID VOID VOID VOID

Maria Andrews, Township Clerk, RMC

James Waltman, Mayor

Roll Call Vote:

Herman: YES

Kwasnik: NO

Lockwood: NO

Vocke: NO

Waltman: YES

Approved: Not Approved

A motion by Herman, seconded by Vocke opened Resolution #2021-87 for discussion.

Committeewoman Lockwood inquired if there was a conflict between the resolution and the Board of Adjustment since there is an open application. Township Attorney Tauriello stated no as they are separate.

Committeeman Herman noted this is not an endorsement, but for a youth tennis program.

Committeewoman Lockwood inquired if others were given an opportunity. Committeeman Herman stated no as Mr. Switzler has been working with the Recreation Commission on the program for the past few months.

Resolution #2021-87 was not approved by roll call vote.

*Herman: Yes, Kwasnik: No, Lockwood: No, Vocke: No, Waltman: Yes*

### **NEW BUSINESS/OTHER**

Committeeman Herman requested that J. Stahl and E. Buchanan be approved as members for the Recreation Commission to fulfill two vacancies.

A motion by Herman, seconded by Lockwood to appoint J. Stahl and E. Buchanan as members of the Recreation Commission was unanimously approved by voice vote.

Mayor Waltman requested that A. Abbatiello be approved as an Alternate member for the DTMUA to fulfill a vacancy.

A motion by Herman, seconded by Vocke to appoint A. Abbatiello as DTMUA Alternate was unanimously approved by voice vote.

Mayor Waltman stated he spoke with Police Chief Cane regarding a blanket speed limit on rural roads that are currently 35mph and lowering them to 25mph or 30 mph. Mayor Waltman noted a speed study would need to be done on the roads to make the determination.

Mayor Waltman noted that as of today, only a few of the bridges in Delaware Township that were damaged by TS Ida are still in need of repair. Mayor Waltman stated a township representative was assigned to meet with FEMA to discuss claims and review the next steps regarding Lower Creek Road and Sandbrook Headquarters Road.

Township Engineer Wisniewski noted that Vollers would begin the phase 1 stabilization process for Lower Creek Road within this week.

Liza Davis, chair of the Historic Advisory Committee, stated that she has been working on an ordinance revision for the duties of the Historical Advisory Committee.

### **OPEN TO THE PUBLIC**

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

The following residents voiced their opinions, questions, and concerns about animal control:

Carla Kelly-Mackey – 60 Sanford Road, Stockton, NJ

Lori Stagnitto – Lambertville Animal Welfare 501(c)(3) – 1681 River Road, New Hope, PA

Jan Weber – 37 Buchanan Road, Stockton, NJ

Kathy Klink – 155 Ferry Road, Flemington, NJ, thanked everyone for helping with March on Litter!

Lauri Cameron – 32 Sanford Road, Stockton, NJ, voiced concerns over her neighbor's backyard shooting range.

The following residents voiced their opinions, questions, and concerns on the use of the Reimer Trail and dogs off leash:

Diana Garibaldi – 142 Sandy Ridge Road, Stockton, NJ

Steve Wilber – 142 Sandy Ridge Road, Stockton, NJ

Jan Weber – 37 Buchanan Road, Stockton, NJ

Lauri Cameron – 32 Sanford Road, Stockton, NJ

Karen Peters – 750 Sergeantsville Road, Stockton, NJ

Roger Byrom – 6 Zentek Road, Stockton, NJ, thanked the Township for all the work and their efforts to quickly move things along since the devastation that was caused by TS Ida.

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

### **FINAL COMMENTS OF THE TOWNSHIP COMMITTEE**

Committeewoman Lockwood stated that the Newsletter should be completed by October 29<sup>th</sup> and sent to be published.

### **APPROVAL OF THE BILL LIST**

A motion by Herman, seconded by Lockwood to approve payment of the \$270,960.39 bill list was unanimously approved by roll call vote.

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



**EXECUTIVE SESSION: Approval of Resolution #2021-86: 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 Lockwood, seconded by Kwasnik to approve Resolution #2021-86 and enter into Executive Session was unanimously approved by roll call vote.

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

**Resolution #2021-86**

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.

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Maria Andrews, Township Clerk, RMC

A motion by Herman, 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 10:32 PM to 10:50 PM.

**ACTION ON ITEMS DISCUSSED IN EXECUTIVE SESSION**

A motion by Lockwood, seconded by Kwasnik, to grant the Chief of Police authority over personnel matters 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 10:53 PM.

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Tiffany Crivelli, Deputy Clerk

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James Waltman

Approved: