



**DELAWARE TOWNSHIP COMMITTEE**  
**REGULAR MEETING MINUTES**

**November 8, 2021 7:30 PM**

**In Person**

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Mayor Waltman called the regular meeting of the Delaware Township Committee to order on November 8, 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 James Waltman, Deputy Mayor Joseph 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**

A motion by Herman, seconded by Vocke, to approve the Committee's 8/27/2021 Regular Meeting and Executive Session minutes was approved by voice vote.

**TOWNSHIP COMMITTEE LIAISON REPORTS**

Committeewoman Lockwood noted that the Open Space Committee is still waiting on a coordinator. Committeewoman Lockwood also noted that the Pipeline Committee will no longer continue to meet, but may in the future since some things are still unclear.

Committeeman Herman stated that the Recreation Commission is having a dedication of a bench, tree lighting and tractor parade on December 4<sup>th</sup> with a rain date of December 5<sup>th</sup>. Committeeman Herman noted all are welcome to attend and the parade starts at 4:15pm leaving from the Delaware Township School.

Mayor Waltman stated the FEMA assistance deadline with Ida had been extended until December 6<sup>th</sup>. Mayor Waltman also advised that OEM and FEMA continue to have weekly meetings to catalog the disaster inventory for all damage to Township owned and other related properties.

Township Engineer Adam Wisniewski noted that work on Lower Creek Road will begin once the emergency stabilization work is completed. Wisniewski also stated that Vollers will go to Sandbrook Headquarters Road after they complete Lower Creek Road in approximately 2-3 weeks.

Mayor Waltman noted that tree work will be completed by JCP&L and that a partnership was reached between them and the Department of Public Works to continue onto Upper Creek Road to remove the dead ash trees.

**OPEN TO THE PUBLIC**

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

John Grimm, 87 Sandbrook Headquarters Road, inquired about damage to his property from Ida.

Gail Conover, 60 Covered Bridge Road, voiced her concerns regarding the tree removal and JCP&L.

The following residents voiced their questions and concerns regarding Lower Creek Road:

Lynn Hulme, 208 Lower Creek Road,  
Gary Woodward, 122 Lower Creek Road  
Yitzak Loria, 212 Lower Creek Road  
Vince Mazzei, 168 Lower Creek Road

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

**RESOLUTIONS #2021 - 88 through #2021- 93**

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

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

**Delaware Township Resolution #2021-88  
Tax Redemption**

**WHEREAS**, the Delaware Township Tax Collector held a tax sale on August 31, 2021; and

**WHEREAS**, at said sale Tax Sale Certificate #2021-005 for property known as Block 32 Lot 25.01–829 Rosemont Ringoes Rd, Assessed Owner: Polney, Luann K Trustee was sold to Bala Partners LLC, and

**WHEREAS**, the property owner has requested to redeem TSC #2021-005; and

**WHEREAS**, payment has been received by the Tax Collector for redemption of TSC #2021-005 in the amount of \$11,333.05;

**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 redemption monies of \$11,333.05 and also refund the premium of \$31,500.00 to: Bala Partners LLC, PO Box 303, Pottersville, NJ 07979;

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

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 #2021-88 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on November 8, 2021.

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

**Delaware Township Resolution #2021-89  
Authorization of Promotion of Police Sergeant**

**WHEREAS**, there exists a need within the Delaware Township Police Department to maintain a level of supervisory positions and make certain promotions; and

**WHEREAS**, based on the results of the current sergeant's promotional examination, Chief Cane hereby recommends the promotion of Patrolman Robert Illes to the position of Acting Police Sergeant.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of Delaware Township that Patrolman Robert Illes is hereby promoted to Acting Sergeant Robert Illes effective from November 1, 2021 until December 31, 2021 at his current salary.

ATTEST:

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

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

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of the Resolution Approved by the Mayor and Township Committee of the Township of Delaware at their meeting of November 8, 2021.

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Maria Andrews, Township Clerk

**Delaware Township Resolution #2021-90  
Authorization of Temporary Road Closure for Parade**

**WHEREAS**, the Recreation Commission of the Township of Delaware desires to hold their Annual Tree Lighting on December 4, 2021 at The Village Green; and

**WHEREAS**, there is a desire to hold a Holiday Tractor Parade proceeding the Annual Tree Lighting Ceremony; and

**WHEREAS**, said parade will require the closing of County Route 604/Rosemont-Ringoes Road either partially or completely between Rittenhouse Road and County Route 523/Sergeantsville Road from approximately 4:30pm until 5:30pm.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Delaware, that the Delaware Township Police Department along with Hunterdon County Roads and Bridges will assume full responsibility for the direction, protection and regulation of traffic during the time the detour is in effect.

ATTEST:

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Maria Andrews, Township Clerk, RMC

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James Waltman, Mayor

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of the Resolution Approved by the Mayor and Township Committee of the Township of Delaware at their meeting of November 8, 2021.

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Maria Andrews, Township Clerk

**Delaware Township Resolution #2021-91  
Tax Redemption**

**WHEREAS**, the Delaware Township Tax Collector held a tax sale on June 12, 2018; and

**WHEREAS**, at said sale Tax Sale Certificate #2018-003 for property known as Block 20 Lot 6.02- 21 Meszaros Road, Assessed Owner: Walker, Karen & Delesley Dessasau was assigned to RTLS Holding Corporation; and

**WHEREAS**, the property owner has requested to redeem TSC #2018-003; and

**WHEREAS**, payment has been received by the Tax Collector for redemption of TSC #2018-003 in the amount of \$35,630.12;

**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 redemption monies of \$35,630.12 to: RTLS Holding Corporation, 217 Ryers Avenue, Cheltenham, PA 19012;

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

ATTEST:

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Maria Andrews, Township Clerk, RMC

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James Waltman, Mayor

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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 #2021-91 adopted by the Township Committee of the Township of Delaware, in the County of Hunterdon, in the State of New Jersey on November 8, 2021.

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Maria Andrews, Township Clerk, RMC

**Delaware Township Resolution #2021-92**

**Award of Contract in Accordance with N.J.S.A. 40a:11-6 And N.J.A.C. 5:34-6.1 Regarding  
Emergency Work on Lower Creek and Sandbrook-Headquarters Roads.**

**WHEREAS**, tropical storm Ida caused severe weather conditions and flooding throughout the state of New Jersey for which Governor Murphy declared a state of emergency pursuant to Executive Order 259; and

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**WHEREAS**, tropical storm Ida caused severe weather conditions and flooding within the Township of Delaware for which a local state of emergency was declared in accordance with New Jersey law to protect the health safety and welfare of all residents; and

**WHEREAS**, the local state of emergency has created circumstances requiring the immediate delivery of certain goods or the performance of services necessitating the awarding of certain contract without public bidding regardless of the public bid threshold to solely address the immediate needs of the emergency; and

**WHEREAS**, an immediate need for services regarding emergency stream clearing and bank stabilization work on Lower Creek Road and Sandbrook-Headquarters Road exist; and

**WHEREAS**, N.J.S.A. 40A:11-6 and N.J.S.C. 5:34-6.1 as referenced in Local Finance Notice 2021-15 allows in circumstances where an emergency is affecting the public health, safety or welfare and requires the immediate delivery or performance of services, a contract may be awarded without public bidding regardless of the bid threshold; and

**WHEREAS**, the Township Engineer has recommended that a contract be awarded to Vollers Construction for the limited purpose of emergency stream clearing and bank stabilization work on Lower Creek Road and Sandbrook-Headquarters Road; and

**WHEREAS**, the Township of Delaware, in the County of Hunterdon, New Jersey has deemed the stream clearing and bank stabilization work on Lower Creek Road and Sandbrook-Headquarters Road an immediate need of the emergency.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of Delaware Township, that Vollers Construction be awarded in accordance with N.J.S.A. 40A:11-6 and N.J.S.C. 5:34-6.1 to perform the stream clearing and bank stabilization work on Lower Creek Road and Sandbrook-Headquarters Road in the amount not to exceed \$204,600.00.

ATTEST:

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Maria Andrews, Township Clerk, RMC

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James Waltman, Mayor

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of the Resolution Approved by the Mayor and Township Committee of the Township of Delaware at their meeting of November 8, 2021.

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Maria Andrews, Township Clerk

**Delaware Township Resolution #2021-93  
Transfer of Funds**

**WHEREAS,** N.J.S.A. 40A:4-58 allows for the transference of funds between current year appropriations, should it be deemed necessary, in the last two months of the fiscal year; and

**WHEREAS,** due to several appropriations having insufficient balances to meet demands for the remainder of the fiscal year, it has been deemed necessary to make several transfers at this time.

**NOW, THEREFORE, BE IT RESOLVED,** in accordance with the provisions of N.J.S.A. 40A:4-58, that the Chief Financial Officer is hereby authorized to make the transfers listed below:

CURRENT FUND		CURRENT FUND	
FROM:	Amount	TO:	Amount
Legal Extraordinary	5,500.00	Motor Fuel	2,000.00
		General Engineering	3,500.00
Total:	\$5,500.00	Total:	\$5,500.00

**BE IT FURTHER RESOLVED,** by the Township Committee of the Township of Delaware, County of Hunterdon, and State of New Jersey that the following transfers be made in the 2021 budget:

ATTEST:

Maria Andrews, Township Clerk, RMC

James Waltman, Mayor

**NEW BUSINESS/OTHER**

Liza Davis, chair of the Historic Advisory Committee, stated that she has drafted a resolution that incorporates everything that has been discussed thus far regarding potential responsibilities of the Historic Advisory Committee.

The Township Committee acknowledged the DTMUA Audit with no action to be taken.

Mayor Waltman stated that the Open Space Referendum passed, baring official results that have not yet been certified by the County. Mayor Waltman noted the Township Committee would need to discuss the next steps and form a subcommittee comprised of representatives from other boards for recommendations on how to best use the funds when needed.

Committeeman Herman noted that the process has been in motion regarding Hurricane Ida Reconstruction although it may seem like it is taking some time. Committeeman Herman noted that the Engineers and OEM are working with the experts on this project.

Committeewoman Lockwood stated that she has had some residents inquire to look at the plans.

Mayor Waltman noted there are no plans completed yet for the final phase of Lower Creek Road or Sandbrook Headquarters Road as they need to complete the emergency work first. Mayor Waltman noted that all the information is public and encouraged the public to reach out if they wished to know more, but that at this time there is not much detail.

CFO Diane McDaniel stated that annually the State asks questions and scores the Township for future funding. CFO McDaniel noted that Delaware Township received a score of 19 and that it was recognized that the Township could improve its cyber security.

Mayor Waltman inquired about the previous Stormwater Committee and noted that had it been functioning, perhaps some of the damaged that was incurred could have possibly been avoided during Hurricane Ida. Mayor Waltman suggested a new Stormwater Committee be formed. Committeewoman Lockwood stated she would look into creating the Committee and defining the responsibilities.

## **OPEN TO THE PUBLIC**

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

Kathy Klink, 155 Ferry Road, Flemington, NJ, inquired about the Open Space Coordinator status and having members from the Planning Board and Environmental Commission participate in the Stormwater Committee.

Al Addvensky, 529 Sergeantsville Road, inquired about a neighbor dispute regarding unkept property.

Gary Hinesley, 699 Rosemont Ringoes Road, voiced his opinion on an ordinance regarding lawn and garden maintenance.

The following residents voiced their opinions, questions, and concerns on the use of the Open Space Referendum:

Gayle Conover, 60 Covered Bridge Road

Diana Garibaldi, 142 Sandy Ridge Road

Valerie Tucci, 21 Sandy Ridge Road

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

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

Committeewoman Herman noted that the 2021 Holiday schedule was not addressed and that the holidays for December fall on a Saturday. Committeeman Herman suggested that all non-union employees observe the holidays and have full days off on December 23, December 24, and December 31.

A motion by Herman, seconded by Kwasnik to approve the observed Holidays as Committeeman Herman stated was unanimously approved by voice vote.

Committeeman Herman noted that during the election at the end of the day, candidates and challengers were in the polling area and conversing with poll workers. Committeeman Herman inquired about a grievance, Township Attorney Tauriello stated he would contact the Board of Elections.

Committeeman Herman congratulated Mayor Waltman and Chad Bower on their election win for 2022 – 2024 Township Committee positions.

Deputy Mayor Vocke and Committeeman Daniel Kwasnik congratulated Mayor Waltman and Chad Bower also.

Committeewoman Lockwood stated that the Newsletter would be completed this week and sent to press.

## **APPROVAL OF THE BILL LIST**

A motion by Lockwood, seconded by Herman to approve payment of the \$3,869,701.20 bill list was unanimously approved by roll call vote.

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

## **EXECUTIVE SESSION: Approval of Resolution #2021-94: 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 Kwasnik to approve Resolution #2021-94 and enter into Executive Session was unanimously approved by roll call vote.

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

## **Resolution #2021-94**

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 8:30 PM to 9:24 PM.

**ADJOURNMENT**

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

The meeting adjourned at 9:25 PM.

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Tiffany Crivelli, Deputy Clerk

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James Waltman

Approved: January 19, 2022