



**DELAWARE TOWNSHIP COMMITTEE**  
**REGULAR MEETING MINUTES**  
**November 14, 2022 – 7:30 PM**

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Mayor Waltman called the regular meeting of the Delaware Township Committee to order on November 14, 2022 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 11, 2022.

**PLEDGE OF ALLEGIANCE**

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

**APPROVAL OF RESOLUTION**

**Resolution #2022-117: Appointment of Acting Municipal Clerk**

A motion by Herman, seconded by Bower, to approve Resolution No. 2022-117 was approved by roll call vote by Attorney Tauriello.

*Bower: Yes; Herman: Yes; Lockwood: Yes; Vocke: Yes; Waltman: Yes*

**Resolution #2022-117: Appointment of Acting Municipal Clerk**

WHEREAS, when a vacancy occurs in the office of the Municipal Clerk, NJAC 5:32-5.3 permits the governing body to appoint an Acting Municipal Clerk.

WHEREAS, such a situation has occurred in Delaware Township and the Township Committee wishes to appoint Denise Filardo as Acting Municipal Clerk for the November 14, 2022 Township Committee meeting.

I hereby certify the above to be a true copy of a Resolution Adopted by the Township Committee of the Township of Delaware, County of Hunterdon and State of New Jersey at a duly convened meeting held on November 14, 2022.

ATTEST:

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Denise Filardo, Acting Township Clerk

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James Waltman, Mayor

Approved: November 14, 2022

**ROLL CALL/AGENDA REVIEW**

Present: Mayor James Waltman, Deputy Mayor Charles Herman, Committee Members Chad Bower, Susan Lockwood and Joe Vocke along with Acting Township Clerk Denise Filardo and Attorney Joseph Tauriello.

**APPROVAL OF TOWNSHIP COMMITTEE MEETING MINUTES  
MEETING MINUTES 10/11/22**

A motion by Herman, seconded by Vocke, to approve the Committee's 10/11/22 meeting minutes as revised was approved by voice vote with no abstentions.

**SPECIAL MEETING MINUTES 10/17/22**

A motion by Lockwood, seconded by Herman, to approve the Committee's 10/17/22 Special meeting minutes was approved by voice vote with no abstentions.

**TOWNSHIP COMMITTEE LIAISON REPORTS**

**BOARD OF EDUCATION**

Committeeman Vocke stated there is nothing to report regarding Hunterdon Central. Delaware Township School got their new roof.

**STORMWATER COMMITTEE**

Mayor Waltman stated that he was informed that there seems to be some delay with the Lower Creek Road project regarding the New Jersey Conservation Foundation (NJCF). Tim Morris, NJCF representative is apparently awaiting feedback from Adam Wisneski regarding comments on the project. Committeewoman Lockwood stated that she was of the opinion that the comments were minor in nature and was not aware that they would be holding things up. Items of concern contained in the comments included and was not limited to netting around plants, planting of seeds, hibernation of salamanders and trout. Mayor Waltman expressed that while we want the NJCF to be satisfied, we also need to be cognizant of the timeframe. We have eighteen (18) months to complete the project from the September 2021 storm, we need to ensure that the project is completed in time to obtain our FEMA reimbursement. It was agreed that committeewoman Lockwood would reach out to Adam to assist in moving things along. Conditions contained in the resolution.

Committeewoman Lockwood also reported that the Open Space Committee finished work on the comprehensive Agriculture Element Plan and the Planning Board Planning Expert made some additions and the document was sent to the Planning Board to be added in the Master Plan Reexam.

The newsletter went to the printer last week and a check is needed for payment to the County. The rabies clinic is scheduled for December 3, 2022.

**QUARRY COMMITTEE**

Committeeman Bower reported that there was a two (2) hour meeting to review the conditions contained in the resolution. A bill in the amount of \$2,700 from Colliers is contained in the current bill list which I will not sign for. A draft engineering report was reviewed and the meeting was no more than an interview with Trap Rock. We have drafted a memo to Colliers outlining exactly what needs to be provided to us to satisfy the conditions.

Discussion ensued regarding the change in engineering personnel which did not provide a good transition. We reviewed that prior technical report prepared by Rick Roseberry of the former Mazur Consulting and compared it to the report Paul Sterbenz from Colliers sent to us. Paul's report was merely a Q&A interview with Trap Rock.

Mr. Bower indicated that no additional assistance is needed to provide resolution at this time.

### **RECREATION COMMISSION**

Committeeman Herman reported the following:

- The Meteor Watch is scheduled for this Friday from 5:00pm to 10:00pm at Dilts Park;
- The Holiday Tractor Parade through Sergeantsville to the Village Green along with the Tree Lighting is scheduled for December 3<sup>rd</sup> at 4:30pm.

Mayor Waltman reported that the Chief measured for parking spaces in front of the Sergeantsville Inn and the General Store and determined that the area would allow for one (1) standard and one (1) compact car parking space.

Mayor Waltman will reach out to the Commissioners to find out who would be responsible for the striping of the two (2) parking spaces. Mayor Waltman stated that we need to know the measurements of a compact car parking space. Attorney Tauriello opined that an engineer would be able to easily provide those measurements and I will check the statutes. Mayor Waltman will reach out to Adam Wisniewski.

Attorney Tauriello asked if there will be a Shared Services Agreement with the school regarding shoveling of sidewalks and if there is anything I need to do. Mr. Herman reported that there will be a new Shared Service Agreement with the school one minor addition and a change of dates.

Deputy Mayor Herman reported that VFW did a very nice job as always with the Veterans Day Ceremony, Senator Mike Dougherty was there, Boy & Girl Scouts, Shop Rite of Flemington donated refreshments.

### **OPEN TO THE PUBLIC**

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

Richard Macomber resident of 33 Haines Road inquired about the construction work of the new sidewalk and if entry to the building during construction would be via the front door. Mayor Waltman confirmed that the work is about to start and access to the building will be through the front door and the side door near the Construction Department.

Diane Garibaldi resident of 142 Sandy Ridge Road inquired about the Deputy Clerk, Clerk and Acting Clerk positions. It was explained that the Acting Clerk is a temporary position and housed here and go to the Stockton office majority of their residents utilize online services.

The Clerk position will be shared with Stockton Borough and although the agreement is still under review, both parties agree in principal that the Clerk will spend a majority of the time here in Delaware and will go to Stockton as needed. Stockton agrees with this arrangement because most of their residents utilize online services.

Seeing no other members of the public who wished to speak, Mayor Waltman closed the floor to public comment.

**INTRODUCTION/PUBLIC HEARING ON ORDINANCES**

**Introduction to Ordinance #2022-10:**

Mayor Waltman read Ordinance #2022-10 by title.

**Delaware Township Ordinance #2022-10**

**Introduction on Ordinance #2022-10: A Capital Ordinance of the Township of Delaware, County of Hunterdon, State of New Jersey to Authorize an Expenditure and Appropriation from the Capital Improvement Fund in the amount Not to Exceed \$50,000 for technology improvements and upgrades.**

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held November 14, 2022. It will be considered on second reading for final adoption at a regular meeting to be held December 12, 2022, 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 #2022-10 and move forward with a public hearing set for December 14, 2022 on Ordinance #2022-10 was approved by roll call vote. *Bower: Yes; Herman: Yes; Lockwood: Yes; Vocke: Yes; Waltman: Yes*

**Introduction to Ordinance #2022-11:**

Mayor Waltman read Ordinance #2022-11 by title.

**Delaware Township Ordinance #2022-11**

**Introduction to Ordinance #2022-11: An Ordinance of the Township of Delaware, County of Hunterdon, State of New Jersey – Lead certification.**

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held November 14, 2022. It will be considered on second reading for final adoption at a regular meeting to be held December 12, 2022, 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 #2022-11 and move forward with a public hearing set for December 12, 2022 on Ordinance #2022-11 was approved as amended by roll call vote. *Bower: Yes; Herman: Yes; Lockwood: Yes; Vocke: Yes; Waltman: Yes*

**Introduction to Ordinance #2022-12**

Mayor Waltman read Ordinance #2022-12 by title.

**Delaware Township Ordinance #2022-12**

**Introduction to Ordinance #2022-12: An Ordinance of the Township of Delaware, County of Hunterdon and State of New Jersey To Amend Ordinance #2022-03 to Establish Municipal Salary and Compensation ay Ranges.**

PLEASE TAKE NOTICE that the above Ordinance was approved on first reading at the regular meeting of the Delaware Township Committee held November 14, 2022. It will be considered on second reading for final adoption at a regular meeting to be held December 12, 2022, 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 Bower to introduce Ordinance #2022-12 and move forward with a public hearing set for December 14, 2022 on Ordinance #2022-12 was approved by roll call vote. *Bower: Yes; Herman: Yes; Lockwood: Yes; Vocke: Yes; Waltman: Yes*

**APPROVAL OF RESOLUTION**

**Resolution #2022-118: Transfer of Funds**

A motion by Herman, seconded by Lockwood, to approve Resolution No. 2022-118 was approved by roll call vote.

*Bower: Yes; Herman: Yes; Lockwood: Yes; Vocke: Yes; Waltman: Yes*

**Resolution #2022-118  
Transfer of Funds**

WHEREAS, NJSA 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 NJSA 40A:4-58, that the Chief Financial Officer is hereby authorized to make the transfers listed below:

FROM: Road O/E	\$12,000
TO: Diesel	\$12,000

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 2022 budget.

ATTEST:

Denise Filardo, Acting Township Clerk

James Waltman, Mayor

Approved: November 14, 2022

A motion by Herman, seconded by Lockwood to approve Resolution #2022-118 was approved by roll call vote.

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

### **NEW BUSINESS/OTHER**

- A. Acknowledgment of DTMUA Audit – Deputy Mayor Herman stated that it is nice that they continue to provide us with this audit.
- B. Discussion on Best Practices Inventory – Attorney Tauriello scanned the document and it looks like Diane knocked it out of the park. Diane is really laser focused on Best Practices.

**APPOINTMENT OF ENVIRONMENTAL COMMISSION MEMBER** – Diana Garibaldi was appointed and thanked by Mayor Waltman for her interest.

**ANIMAL CONTROL CONTRACT** – tabled and Attorney Tauriello will review it and distribute to Committee Members.

Deputy Mayor Herman reported that he received an email from the DTAA requesting to put up a flag pole at Dilts Park. It will have an American Flag and a DTAA Flag which will require 24/7 lighting. Since electric will be needed, the DTAA obtained a cost estimate from an electrician in the amount of \$6,000 which they are willing to split with the Township.

Discussion ensued regarding lighting of the flag pole. More information will be obtained and it will be discussed at the next meeting.

### **OPEN TO THE PUBLIC**

Mayor Waltman opened the floor to public comment.

Mr. Macomber of 33 Haines Road asked when Route 604 will be finished. Mayor Waltman indicated that milling began a couple of weeks ago and Deputy Mayor Herman stated that they are almost done.

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

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

All of the Committee Members congratulated Committeeman Vocke on his re-elected.

Committeeman Bower stated that we have five (5) really good and pleasant candidates for the Clerk position. Deputy Mayor Herman communicated that due to the shared service we can have more competent person because we can pay more. The Clerk will spend at least 90% of the time in our office and about 10% in the Stockton office. In addition, having the Part-Time Deputy Clerk and a Full-Time Clerk in the building will provide a lot of helping hands.

Deputy Mayor Herman communicated that he was contacted by an Eagle Scout Candidate who would like to restore the bulletin board at Dilts Park which is in dire need of repair. He would also like to provide some landscaping around the sign. Once he has finalized his plans he will come to a committee meeting.

**APPROVAL OF THE BILL LIST**

A motion by Herman, seconded by Bower to approve payment of the bill list \$3,303,054.32 less \$2,762.39 = \$3,300,291.93 which was unanimously approved by roll call vote.

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

**EXECUTIVE SESSION: Approval of Resolution #2022-119: To Enter into Executive Session for the Purpose of discussing Personnel Matters, Contracts, Litigations and Subjects Falling Under Attorney-Client Privilege – *The discussion is expected to take approximately one hour. Action may be taken.***

A motion by Herman, seconded by Bower to approve Resolution #2022-119 and enter into Executive Session was unanimously approved by roll call vote.

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

**Resolution #2022-119**

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 one hour. 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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Denise Filardo, Acting Township Clerk

It was noted for the record that the Acting Clerk Filardo was excused from the meeting at this time, 8:59 PM.

**MINUTES FROM THIS POINT ON WERE  
TAKEN BY ATTORNEY TAURIELLO**

**Potential Action after Executive Session:**

Resolution #2022-120: Appointment and Salary of Public Works Manager

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Denise Filardo, Acting Township Clerk

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James Waltman, Mayor

Approved: December 12, 2022